

**PORT OF NEWPORT  
COMMISSION ACTIONS**

PERSONNEL MANUAL REVISIONS 02/28/95  
Commissioner Whelan moved to adopt proposed changes, including more definite language and modification of the section regarding PERS contributions. Commissioner Halverson seconded. None opposed

US BANK FLEX LEASE, OFFICE COMMUNICATION EQUIPMENT PURCHASE,  
RESOLUTION 1-1995 02/28/95  
Commissioner Hamstreet moved to approve Resolution 1-1995 for the flex/lease purchase of new office communication equipment, cost not to exceed \$24,000. Motion passed 4-1, with Commissioner Whelan voting no.

RESOLUTION 2-1995 02/28/95  
Commissioner Whelan moved to approve Resolution 2-1995, designating signatories for the Port's bank accounts to reflect changes in staff. Commissioner Hamstreet seconded. None opposed.

WRITTEN MANAGER'S REPORTS 03/21/95  
Commissioner Whelan moved that written managers' reports be included with meeting packets. Commissioner Hamstreet seconded. None opposed.

SALMON ENHANCEMENT PROJECT 03/21/95  
Commissioner Whelan moved to approve the recommendation of the Advisory Committee that the Port modify the terms of the contract with OEDD and proceed. Commissioner Halverson seconded the motion. None opposed.

NEWPORT SHRIMP COMPANY 03/21/95  
Commissioner Hamstreet moved that the Executive Director negotiate a lease with Newport Shrimp Company, allowing two barges and a tug to tie up at Port Dock 3. Commissioner Halverson seconded the motion. None opposed.

NEWPORT SHRIMP COMPANY 04/25/95  
Commissioner Hamstreet moved that Commissioner Whelan and the Executive Director represent the Commission in negotiations between Newport Shrimp and the Port of Newport, and that the Executive Director negotiate terms and execute the lease. Commissioner Halverson seconded the motion. None opposed.

MARCH 28, 1995 ELECTION 04/25/95  
Commissioner Cooper moved to accept the official abstract of votes. Commissioner Hamstreet seconded. None opposed.

RELEASE AND SETTLEMENT: PORT OF NEWPORT/SCOTT AND PATRICIA  
MARTIN 04/25/95

Commissioner Whelan moved to authorize the Executive Director to execute the agreement for the Port. Commissioner Cooper seconded. None opposed.

BUDGET COMMITTEE APPOINTMENTS 05/30/95

Commissioner Whelan moved that Tom Ruddiman, David Jincks, and Fred Postlewaite be appointed to the Budget Committee. Commissioner Hamstreet seconded the motion. None opposed.

BUDGET COMMITTEE CHAIRPERSON APPOINTMENT 06/01/96

Commissioner Whelan moved that Bill McKeivitt be appointed as Committee Chairperson. Commissioner Brown seconded. None opposed.

BUDGET CONTINGENCY FUND 06/01/95

Commissioner-elect Ruddiman moved to recommend excess from anticipated land/sand sales be moved into a contingency fund, should that excess be realized. Commissioner Hamstreet seconded. None opposed.

BUDGET ACCEPTED WITH CHANGES

06/01/95

Budget Committee member Ron Benefield moved that the 1995-96 budget be accepted with some recommended changes. Commissioner Halverson seconded, then withdrew his second and the motion was lost. Commissioner-elect Ruddiman moved to pass to a budget hearing, giving members a chance to study changes and corrections. Commissioner Halverson seconded. None opposed.

SUPPLEMENTAL BUDGET 06/01/95

Commissioner-elect Ruddiman moved to accept the supplemental budget as corrected. Commissioner Halverson seconded the motion. None opposed.

RESOLUTION 3-1995 06/12/95

At a Special Meeting, Commissioner Whelan moved to adopt Resolution 3-1995, issuing an emergency bond under the provisions of ORS 777.410 (2). Commissioner Halverson seconded the motion. None opposed.

SUPPLEMENTAL BUDGET 06/27/95

Commissioner Whelan moved to adopt the supplemental budget as submitted. Commissioner Cooper seconded the motion. None opposed. Commissioner Whelan amended his motion, moving to adopt the supplemental budget, Resolution 4-1995. Commissioner Cooper seconded the motion. None opposed. Commissioner Whelan moved to adopt Resolution 5-1995, adopting the budget, making appropriations, and levying taxes for fy 1995-96. Commissioner Cooper seconded. None opposed.

SERVICE DOCK RATES 06/27/95

Commissioner Hamstreet moved that the rate of \$55 per day stay in effect.  
Commissioner Whelan seconded. None opposed.

RESOLUTION 6-1995 06/27/95

Commissioner Hamstreet moved to adopt Resolution 6-1995, rejecting the Army Corps of Engineers' recommendation of a "pullback" repair on the jetty. The Port went on record as strongly supporting restoration of the jetty to its full length. Commissioner Cooper seconded the motion. None opposed.

CERTIFICATES OF APPRECIATION 06/27/95

Commissioner Whelan moved that signed certificates of appreciation be given to Senator Stan Bunn and Representative Terry Thompson. Commissioner Halverson seconded. None opposed.

COMMERCIAL IRON WORKS LEASE TRANSFER 06/27/95

Commissioner Cooper moved that the Executive Director transfer the lease agreement from Commercial Iron Works to Hoy Marine. Commissioner Whelan seconded the motion. None opposed.

COMMERCIAL IRON WORKS PURCHASE PRICE 06/27/95

Commissioner Cooper moved that the Executive Director negotiate a purchase price of \$200,000. Commissioner Whelan seconded. None opposed.

PORT OF NEWPORT COMMISSIONER OFFICERS 07/25/95

Commissioner Whelan moved to extend the existing slate of officers for the remainder of 1995 and six months into 1996, with Commissioners Jincks and Ruddiman filling the two vacancies. Commissioner Halverson seconded the motion. None opposed.

ORAL DELIVERY OF MANAGERS' REPORT 07/25/95

Commissioner Whelan moved that, if there were no questions or discussion, managers' reports be accepted as submitted and not delivered verbally. Commissioner Jincks seconded. None opposed.

OCZMA REPRESENTATIVE 07/25/95

Commissioner Halverson nominated Commissioner Jincks as OCZMA representative, with Maureen Miller as alternate. Commissioner Whelan seconded the motion. None opposed.

EMBARCADERO DOCK, LTD. 07/25/95

Commissioner Jincks moved to renew the lease between the Port of Newport and Embarcadero Dock, Ltd., for three years. Commissioner Whelan seconded. None opposed.

WATERFRONT RESORTS AND HOTELS 07/25/95  
Commissioner Whelan moved that the Executive Director break off all negotiations with Waterfront Resorts & Hotels, Inc. Commissioner Halverson seconded the motion. None opposed.

UNDERWATER VIDEO AT SHIPPING TERMINAL 08/22/95  
Commissioner Whelan moved to authorize John Crow, of Oregon Reef, to make an underwater video of the ship's hull at the Terminal. Commissioner Halverson seconded. None opposed.

RESOLUTION 7-1995 08/22/95  
Commissioner Whelan moved to adopt Resolution 7-1995, requesting grant funds in the amount of \$10,000 from OEDD. Commissioner Ruddiman seconded. None opposed.

NEWPORT INTERNATIONAL TERMINAL TARIFFS 08/22/95  
Commissioner Ruddiman moved to accept an increase in dockage and man hour rates at the Newport Terminal. Commissioner Halverson seconded the motion. None opposed.

COMPENSATION PACKAGE 08/22/95  
Commissioner Whelan moved to accept the compensation package for Port employees submitted by the Executive Director. Commissioner Ruddiman seconded the motion. None opposed.

OREGON BREWING LEASE 08/22/95  
Commissioner Whelan moved to authorize the Executive Director to sign the lease between Oregon Brewing and the Port of Newport, with some stipulations and amendments. Commissioner Ruddiman seconded. None opposed.

COMMERCIAL IRON WORKS AND HOY MARINE 08/22/95  
Commissioner Whelan moved to authorize the Executive Director to execute the necessary documents relating to the lease transfer. Commissioner Halverson seconded the motion. None opposed.

EXECUTIVE DIRECTOR RESIGNATION. 09/06/95  
Commissioner Whelan moved to accept John Rayburn's resignation. Commissioner Ruddiman seconded. None opposed.

RETAIN RAYBURN IN ADVISORY CAPACITY 09/06/95

Commissioner Whelan moved to retain John Rayburn for the purpose of coordinating and negotiating specific projects through the end of the year. Commissioner Jincks seconded the motion. None opposed.

LETTER TO RAYBURN 09/06/95

Commissioner Whelan moved to write to John Rayburn, asking him to serve in an advisory capacity. Commissioner Ruddiman seconded. None opposed.

ADVERTISING FOR NEW DIRECTOR 09/19/95

Commissioner Whelan moved that the position of General Manager be advertised. Commissioner Halverson seconded the motion. None opposed.

STREET VACATION 09/19/95

Commissioner Whelan moved to grant vacation of a portion of S.W. 12th to Canyon Way Restaurant. Commissioner Ruddiman seconded. None opposed.

GRANT FUND APPLICATION 09/19/95

Commissioner Whelan moved to submit an application for grant funds from Northwest Economic Adjustment Initiative Project. Commissioner Halverson seconded the motion. None opposed.

RESOLUTION 8-1995 09/19/95

Commissioner Whelan moved to adopt Resolution 8-1995, changing authorized signatures on the Port's bank accounts, reflecting change in staff and Board of Commissioners. Commissioner Ruddiman seconded. None opposed.

RV RATES AT NEWPORT MARINA 09/19/95

Commissioner Whelan moved that the increase in rates at the RV park be reviewed and any reduction be retroactive. Commissioner Jincks seconded the motion. None opposed.

AWARDING OF CONTRACT FOR SOUTH BEACH ROOF 10/10/95

Commissioner Halverson moved that the Port issue a Notice of Intent to award to Oak hills Roofing. Commissioner Jincks seconded. None opposed.

COLOR OF ROOFING TILES 10/10/95

Commissioner Halverson moved that light gray roofing tiles be used on the roof at the South Beach Marina building. Commissioner Jincks seconded. None opposed.

BID REJECTED 10/16/95

Commissioner Halverson moved that the Port reject Oak Hills' bid for failure to meet specifications. Commissioner Jincks seconded the motion. None opposed.

NOTICE OF INTENT TO MG CONSTRUCTION 10/16/95  
Commissioner Halverson moved that the Port accept the bid of MG Construction for the roof on the South Beach Marina building. Commissioner Ruddiman seconded the motion. None opposed.

EQUIPMENT DECLARED SURPLUS 10/24/95  
Commissioner Whelan moved to declare the International Harvester Tractor Crawler as surplus equipment so that it could be advertised and sold on a sealed bid basis. Commissioner Ruddiman seconded. None opposed.

RV PARK RATES 10/24/95  
Commissioner Ruddiman moved that an increase in the long term rates of 6%, retroactive to September, go into effect immediately; with another 6% increase in March of 1996; and another 6% increase in September of 1996. Commissioner Whelan seconded the motion. None opposed.

NEWPORT MARINA STORE ROOF REPAIR 10/24/95  
Commissioner Whelan moved that Steve Felkins, Interim Manager, be given authority to contract for repairs, not to exceed \$3,000.00. Commissioner Ruddiman seconded the motion. None opposed.

BOB JACOBSON RECOGNITION, RESOLUTION 9-1995 10/24/95  
Commissioner Halverson moved to adopt Resolution 9-1995, recognizing Bob Jacobson's dedication and contributions to the fishing industry, OSU, and the Port. Commissioner Whelan seconded, adding that the resolution be given to Jacobson as a plaque. None opposed.

SOUTH BEACH FUEL DOCK LEASE 10/24/95  
Commissioner Whelan moved to extend the lease with A.M. Hatton, Inc., through September 30, 1996, and that other interested distributors be notified that requests for proposals will be made in 1996. Commissioner Ruddiman seconded. None opposed.

HOY MARINE/MARINE WAYS 10/24/95  
Commissioner Whelan moved that Hoy Marine be offered a lease-purchase agreement, with the provision that the operation stay within the same EPA/DEQ guidelines required in the arrangement with the previous tenant, Commercial Iron Works. Commissioner Jincks seconded the motion. None opposed.

COMMERCIAL IRON WORKS MUTUAL RELEASE 10/24/95  
Commissioner Ruddiman moved that the mutual release of Vessel Marine Ways License Agreement be adopted. Commissioner Halverson seconded the motion. None opposed.

OREGON BREWING LEASE 10/24/95  
Commissioner Whelan moved that the lease between the Port of Newport and Oregon Brewing be signed as submitted. Commissioner Halverson seconded. None opposed.

SOIL CONSERVATION SERVICE 10/24/95  
Commissioner Ruddiman moved to accept the new agreement as proposed, and to authorize signatures if accepted by SCS. Commissioner Whelan seconded the motion. None opposed.

PACIFIC WHITING BUILDING 10/24/95  
Commissioner Whelan moved to advise Urban Renewal Department of the Port's intention to renew the lease. Commissioner Ruddiman seconded. None opposed.

LETTER OF AGREEMENT FOR ENGINEERING SERVICES 11/28/95  
Commissioner Ruddiman moved to approve a contract for work to be performed by Peratrovich, Nottingham & Drage to repair the floor at the Marina Building. The amount was not to exceed \$25,000.00. Commissioner Whelan seconded the motion. No discussion. None opposed.

GENERAL MANAGER VACANCY 11/28/95  
Commissioner Whelan moved to reimburse candidates for reasonable expenses incurred in travelling to Newport for their interviews. Commissioner Halverson seconded. None opposed.

SOUTH BEACH PROPERTY SALE 11/28/95  
Commissioner Whelan moved that President Brown appoint a committee to enter into discussions with parties interested in purchasing and developing the Sportsman's RV Park in South Beach. Commissioner Ruddiman seconded. President Brown, Commissioner Whelan, and Interim Manager Steve Felkins to make up the committee. No opposing votes.

SURPLUS EQUIPMENT 12/19/95  
Commissioner Whelan moved to declare the used South Beach pick-up truck surplus so that it could be sold. Commissioner Jincks seconded. No opposition.

BAY BOULEVARD PROPERTY PLAN 12/19/95  
Commissioner Whelan moved to accept the Bay Blvd. property plan as submitted by the planning committee, with recommended modifications and committee appointments. Commissioner Jincks seconded. 5-0.

LEASE NEGOTIATIONS NEWPORT MARINA STORE 12/19/95  
Commissioner Whelan moved to begin negotiations on new lease with Gary and Christine Sellers. Commissioner Halverson seconded. None opposed.

EMPLOYMENT AGREEMENT FOR NEW GENERAL MANAGER 12/19/95  
Commissioner Whelan moved to negotiate an employment agreement between the Port and incoming General Manager, Don Mann, for the purpose of outlining conditions of employment and a severance arrangement. Commissioner Halverson seconded the motion. All in favor.

BAY BOULEVARD PROPERTY PLANNING 1/23/96  
Commissioner Halverson moved to adopt the architectural design guidelines as submitted, and to maintain the Design Committee on an ongoing basis to oversee the completion of the project. Commissioner Ruddiman seconded. 5-0

NEWPORT MARINA STORE/SELLERS LEASE  
1/23/96  
Commissioner Whelan moved that the General Manager be authorized to conclude the agreement between the Port and the Store. Commissioner Ruddiman seconded the motion. None opposed.

ROGUE ALES 1/23/96  
Commissioner Ruddiman declared a possible conflict of interest and said that he would abstain from voting on issues pertaining to Rogue Ales, since he is employed by the brewing company.

SEAFOOD & WINE LICENSE AGREEMENT 1/23/96  
Commissioner Whelan moved to approve appropriate signatures on the License Agreement. Commissioner Halverson seconded. All in favor.

RESOLUTION 1-1996 1/23/96  
Commissioner Ruddiman moved to adopt, giving General Manager Don Mann authorization to sign checks on the Port's account. Commissioner Whelan seconded. No discussion. None opposed.

AUDIT REPORT, FINANCIAL STATEMENTS ENDING JUNE 30, 1995 2/20/96  
Commissioner Halverson moved to accept. Commissioner Ruddiman seconded. 3-0.

LETTER TO OPPA REGARDING IMPROVEMENTS TO HIGHWAY 20 2/20/96  
Commissioner Whelan moved that the Board sign the letter encouraging support of transportation program to improve Highway 20. Commissioner Ruddiman seconded. None opposed.



LETTER TO ILWU LOCAL 53 2/20/96  
Commissioner Ruddiman moved that the Board sign a letter to Art Johnson, President of Local 53, urging the local to maintain a full local work force at Newport.  
Commissioner Whelan seconded. Commissioner Halverson abstained. Unopposed.

DON MANN TO REPRESENT PORT AT PNWA MISSION TO D.C. 2/20/96  
Commissioner Whelan moved that the GM be designated as Port's rep to PNWA mission, Washington D.C., March 9-15, 1996. Commissioner Ruddiman seconded.  
None opposed.

CONTINUE NEGOTIATIONS WITH NW AQUATIC SCIENCE 2/20/96  
Commissioner Whelan moved to authorize Don Mann, with the advice of legal counsel, to continue negotiations with Dick Caldwell of NAS regarding a lease arrangement on property near the Marine Science Center at South Beach. Commissioner Halverson seconded. None opposed.

TIME LIMIT ON NEGOTIATIONS WITH NW AQUATIC SCIENCE 3/26/96  
Commissioner Whelan moved that, if there is no response or progress by April 1, 1996, the Port should withdraw from negotiations with Dr. Caldwell and NW Aquatic Sciences. Commissioner Halverson seconded; Commissioner Ruddiman abstained. Motion passed 3-0.

STREET VACATION--SW HARBOR DRIVE 3/26/96  
Commissioner Whelan moved to notify the City of Newport that the Port has no objection to the street vacation. Commissioner Ruddiman seconded. None opposed.

APPRAISAL--SOUTH BEACH PROPERTY 3/26/96  
Commissioner Whelan moved to authorize the General Manager to contact the parties who did the last appraisal on the Port's property at South Beach about an update. Commissioner Halverson seconded. None opposed.

BACKGROUND CHECK--CORVALLIS MICROTECHNOLOGY/DAVID LIN  
3/26/96  
Commissioner Halverson moved to authorize the expenditure for a background check on David Lin and his company. Commissioner Ruddiman seconded. Passed unopposed.

PACIFIC WHITING/OCEAN BEAUTY SEAFOODS LEASE 4/23/96  
Commissioner Halverson moved to adopt Resolution 2-1996, authorizing approval and execution of the extension of the lease between the Port and Ocean Beauty Seafoods. Commissioner Whelan seconded. None opposed.

NORTH MARINA BREAKWATER 4/23/96

Commissioner Whelan moved that President Brown sign a letter to Col. Wood at the Corps, reiterating the Port's interest in remaining the Non-Federal Sponsor in the Section 107 construction phase of the North Marina Breakwater. Commissioner Jincks seconded. None opposed.

TRANSIT PAC 4/23/96  
Commissioner Whelan moved that the Board go on record as supporting two ballot measures pertaining to public transportation in Lincoln County. Commissioner Halverson seconded. None opposed.

RECOGNITION FOR FRANK CROCKER  
4/23/96  
Commissioner Whelan moved adoption of Resolution 3-1996, recognizing security guard Frank Crocker for performance above and beyond the call of duty. Commissioner Halverson seconded. None opposed.

STREET VACATION 5/28/96  
Commissioner Whelan moved to ratify acceptance of a partial street vacation of S.W. 9th Street in Newport. Commissioner Ruddiman seconded. None opposed.

FOULWEATHER TRAWL LEASE AGREEMENT 5/28/96  
Commissioner Whelan moved to proceed with signing the lease agreement between the Port of Newport and Foulweather Trawl. Commissioner Ruddiman seconded. None opposed.

EDITH MOORE LEASE AGREEMENT 5/28/96  
Commissioner Whelan moved to proceed with signing the lease agreement between Edith Moore and the Port of Newport. Commissioner Halverson seconded. None opposed.

NEWPORT SHRIMP LICENSE AGREEMENT 5/28/96  
Commissioner Ruddiman moved to adopt Resolution 5-1996, approving the License Agreement between Newport Shrimp and the Port. Commissioner Whelan seconded. None opposed.

YAQUINA BAY FERRY SPECIAL USE PERMIT 5/28/96  
Commissioner Ruddiman moved to authorize the General Manager to sign the Seasonal Special Use Permit between the Port and Yaquina Bay Ferry. Commissioner Whelan seconded. None opposed.

CASCADES WEST COUNCIL OF GOVERNMENTS ORDINANCE 5/28/96

Commissioner Whelan moved to adopt Cascades West Council of Governments Ordinance 1-1996. Commissioner Ruddiman seconded. None opposed.

CAFFALL BROS. LEASE 6/25/96

Commissioner Whelan moved to adopt Resolution 4-1996, approving the lease, dated June 1, 1996, between Caffall Bros. and the Port of Newport. Commissioner Halverson seconded. None opposed.

FOULWEATHER TRAWL LEASE

6/25/96

Commissioner Whelan moved to adopt Resolution 6-1996, approving the lease, effective July 2, 1996, between Foulweather Trawl and the Port of Newport. Commissioner Jincks seconded. None opposed.

CUMMINGS TRANSFER LEASE 6/25/96

Commissioner Whelan moved to adopt Resolution 7-1996, approving the lease dated June 1, 1996, between Cummings Transfer and the Port of Newport. Commissioner Halverson seconded. None opposed.

BUDGET HEARING - ADOPTING BUDGET FOR FY 1996-97 6/25/96

Commissioner Whelan recommended adopting the budget, with the amendment raising RV park rates to \$18.00 per day, not including the transient room tax. A Resolution would follow at the Regular Meeting.

ELECTION OF OFFICERS

6/25/96

Commissioner Whelan moved that Rob Halverson be named president; David Jincks be named vice-president; Ed Whelan remain secretary; Tom Ruddiman remain Treasurer; Alan Brown be named Assistant Secretary-Treasurer. Commissioner Jincks seconded. None opposed.

OEDD PORT PLANNING & MARKETING GRANT FUNDS 6/25/96

Commissioner Halverson moved to adopt Resolution 8-1996, requesting grant funds of \$25,000 from OEDD. Commissioner Whelan seconded. None opposed.

TERMINAL TARIFF INCREASE 6/25/96

Commissioner Whelan moved to adopt Resolution 12-1996, approving a 4% raise in the terminal tariff dockage rates. Commissioner Halverson seconded. None opposed.

NEWPORT MARINA/SPORTSMAN'S RV RATES 6/25/96

Commissioner Whelan moved to adopt Resolution 9-1996, increasing the rates at Sportsman's RV Park by \$1.00, plus the transient room tax, effective July 1, 1996. Commissioner Halverson seconded. None opposed.

BUDGET FY 1996-97 6/25/96

Commissioner Whelan moved to adopt the budget for FY 1996-97. Commissioner Halverson seconded. None opposed.

INTERFUND LOAN

6/25/96

Commissioner Halverson moved to adopt Resolution 11-1996, approving an interfund loan from the Bonded Debt Fund to the Limited Tax G.O. Bond Fund. Commissioner Jincks seconded, None opposed.

LINES AGREEMENT/ILWU LOCAL 53

6/25/96

Commissioner Whelan moved to formalize the Lines Agreement between the Port of Newport and the Longshoreman's union, Local 53. Commissioner Jincks seconded. Commissioner Halverson abstained. None opposed.

GENERAL MANAGER'S SALARY INCREASE

6/25/96

Commissioner Whelan moved to increase the compensation of the General Manager from \$55,000 to \$60,000. Commissioner Halverson seconded. None opposed.

RESOLUTION 13-1996

7/23/96

Commissioner Ruddiman moved to adopt Resolution 13-1996, authorizing signatures of new officers on deposits, transfers, and checks. Commissioner Whelan seconded. None opposed.

LINES AGREEMENT

7/23/96

Commissioner Whelan moved to adopt the negotiated agreement between the Port and ILWU Local 53. Commissioner Ruddiman seconded. President Halverson abstained. None opposed.

MARINE DISCOVERY TOURS PROPOSAL FOR S. BEACH DOCK

7/23/96

Commissioner Whelan moved that the General Manager proceed with negotiations between the Port and Marine Discovery Tours re their proposal to use the South Beach courtesy dock for boarding passengers. Commissioner Ruddiman seconded. None opposed.

SALMON FACILITY TOWN HALL MEETING

8/13/96

Commissioner Ruddiman moved that a public announcement be made regarding a town hall meeting, conducted to get community input on the future of the salmon facility. Commissioner Jincks seconded. 5-0

MIKE WARDEN/JAZZED UP JAVA RED FROG SITE

8/27/96

Commission Whelan moved to allow Warden use of the old Red Frog site on a temporary basis, to run his coffee business from his mobile trailer over the holiday. Commissioner Ruddiman seconded. All in favor.

MIKE WARDEN PROPOSAL FOR PERMANENT SITE

8/27/96

Commissioner Whelan moved that the General Manager work with Mike Warden to see if proposed location were suitable and would allow free flow of traffic. Plot plan requested. Commissioner Ruddiman seconded. All in favor.

AUDIT REPORT AND RECOMMENDATIONS

8/27/96

Commissioner Whelan moved to accept the audit report and recommendations. Commissioner Brown seconded. All in favor.

DELEGATE TO OCZMA

8/27/96

Commissioner Brown nominated Commissioner Tom Ruddiman as the Port's delegate to OCZMA; Maureen Miller alternate. Commissioner Whelan seconded. All in favor.

CITY OF NEWPORT WASTEWATER BALLOT MEASURE

8/27/96

Commissioner Brown moved that the General Manager draw up a resolution endorsing the City's wastewater treatment plant ballot measure, proposing construction and relocation of the plant at South Beach. Commissioner Ruddiman seconded. All in favor.

BAYFRONT ASSOCIATION MURAL

8/27/96

Commissioner Whelan moved that the Bayfront Association be authorized to proceed with a mural on the Pacific Whiting/Ocean Beauty Seafood building. Commissioner Ruddiman seconded. All in favor.

CITY OF NEWPORT WASTEWATER BALLOT MEASURE

8/27/96

Commissioner Brown moved to adopt Resolution 14-1996, in support of the City of Newport's ballot measure.

OFFER TO PURCHASE PROPERTY AT SOUTH BEACH

8/27/96

Commissioner Brown moved that the General Manager respond by letter to an offer to purchase property at South Beach. Specifics of the Port's counter proposal were included in the motion. Commissioner Ruddiman seconded. None opposed.

PORT OF NEWPORT/OBC LEASE

8/27/96

Commissioner Whelan moved to adopt provisions of new lease. Commissioner Brown seconded. Motion passed 3-0; Commissioner Ruddiman abstained.

HATTON LEASE EXTENSION

9/24/96

Commissioner Brown moved to extend the lease agreement between the Port and A.M. Hatton. Commissioner Whelan seconded. None opposed.

RESCHEDULE OCTOBER MEETING

9/24/96

Commissioner Brown moved to schedule the October meeting for October 17, rather than regularly scheduled date of October 22. Commissioner Whelan seconded. None opposed.

SALE OF SALMON FACILITY TO CORVALLIS MICROTECHNOLOGY 11/26/96  
Commissioner Ruddiman moved to move forward with sale, excluding certain pieces of property and with covenants and restrictions written into sales agreement.  
Commissioner Brown seconded. Passed 3-2.

CITIFOR/CAFFALL LOG DEBARKER 12/17/96  
Commissioner Brown moved that the log debarker be allowed on Port property, with conditions and restricted hours of operation. Commissioner Whelan seconded.  
Passed 5-0.

CAFFALL BROS. LEASE NEGOTIATION 12/17/96  
Commissioner Brown moved that the General Manager negotiate longer-term lease between the Port and Caffall Bros. Commissioner Whelan seconded. Passed 5-0.

DOCKSIDE GIFT SHOP/STAN PICKENS 12/17/96  
Commissioner Ruddiman moved that the Port offer to carry a 20-year contract for Mr. Pickens, with certain terms. Commissioner Brown seconded. All in favor.

JAZZ & ART FESTIVAL 12/17/96  
Commissioner Brown moved that negotiations proceed with Geno Michaels for a Jazz & Art Festival at South Beach in August, 1997. Commissioner Ruddiman seconded.  
Motion passed 4-0 with Commissioner Halverson abstaining.

PNWA MISSION TO WASHINGTON 12/17/96  
Commissioner Whelan moved to apply money that would be spent on PNWA mission to the General Manager's trip to a port planning seminar in New Orleans.  
Commissioner Brown seconded. None opposed.

RESOLUTION 1-1997/OBC 1/28/97  
Commissioner Brown moved to adopt Resolution 1-1997, which supersedes Resolution 16-1996, amending the lease agreement and extension of term between the Port and OBC. Commissioner Jincks seconded the motion. Passed 4-0 with Commissioner Ruddiman abstaining.

RESOLUTION 2-1997/STIP-COG 1/28/97  
Commissioner Brown moved to adopt Resolution 2-1997 endorsing STIP projects as developed by COG. Commissioner Jincks seconded. Passed 5-0.

PORT VEHICLE PURCHASE 1/28/97

Commissioner Whelan moved to authorize the General Manager to proceed with purchase of a pick-up. Commissioner Ruddiman seconded. Passed 5-0.

TERMINAL DOCK PROJECT 2/25/97

Commissioner Whelan moved, Brown seconded, to notify Berger/Abam of the Port's intent to negotiate a service contract. Passed 4-0.

DSL LEASE COMMERCIAL MARINA 2/25/97

Commissioner Brown moved, Jincks seconded, to approve OR Div of State Lands Lease ML-10452 (Commercial Marina) as submitted. Passed 4-0.

CASCADE PACIFIC RC&D AREA PLAN 2/25/97

Commissioner Whelan moved, Brown seconded, to accept recommendation to approve Cascade Pacific RC&D Revised ARea Plan. Passed 4-0.

EVALUATION REVIEW COMMITTEE 2/25/97

Commissioner Whelan moved, Jincks seconded, to adopt the recommendation of the Evaluation Review Committee and submit that recommendation to the CFO for implementation. Passed 4-0.

PROJECT AGREEMENT -- NORTH MARINA BREAKWATER 3/25/97

Commissioner Whelan moved that the Commission President be directed to sign the project agreement with the Corps of Engineers and contract with OEDD for the breakwater project. Commissioner Brown seconded. None opposed.

OREGON OYSTER FARMS DRAFT LEASE 3/25/97

Commissioner Brown moved approval of a preliminary agreement with Oregon Oyster Farms to allow them to move equipment onto the site while the lease agreement is being drafted. Commissioner Jincks seconded. Passed 5-0.

PICKENS/DOCKSIDE GIFT SHOP 4/22/97

Commissioner Ruddiman moved that the Port agree to sell Mr. Pickens only the property covered in the title policy, with adequate title insurance. Commissioner Brown seconded. Passed 4-0.

OREGON OYSTER FARMS 4/22/97

Commissioner Brown moved, Commissioner Jincks seconded, to approve the lease document between the Port and Oregon Oyster Farms, contingent on language in the final draft; and to finalize the LOA from the Port and the MOU with ODF&W to be attached to the lease. Commissioners polled. Passed 4-0.

APPOINTMENT TO BUDGET COMMITTEE 4/22/97  
Commissioner Brown moved, Ruddiman seconded, to appoint Bob Jacobson to complete the unexpired term left vacant by Burt Lippman on the Port's Budget Committee. Passed with all in favor.

TERMINAL INDUSTRIAL DEVELOPMENT -- BUILDINGS 5/27/97  
Commissioner Brown moved that the General Manager proceed as outlined to start the terminal industrial development. Commissioner Jincks seconded. Passed 3-0.

BUDGET ADOPTED FOR FY 1997-98  
Commissioner Ruddiman moved to adopt Resolution 4-1997, adopting the budget for Fy 1997-98. Commissioner Whelan seconded. Passed 4-0. 6/24/97

OREGON OYSTER FARMS LEASE  
Commissioner Whelan moved to adopt Resolution 3-1997, formalizing the lease agreement between the Port and Oregon Oyster Farms. Commissioner Brown seconded. Passed 4-0. 6/24/97

SALE OF DOCKSIDE GIFT SHOP  
Commissioner Ruddiman moved to authorize Don Mann to sign the Statutory Warranty Deed submitted by legal counsel referring to the final draft of the agreement between Stan Picks and the Port. Commissioner Brown seconded. Passed 4-0. 6/24/97

FIRE SUPPRESSION WATER LINE EASEMENT  
Commissioner Whelan moved to adopt the agreement for easement and usage of water line for fire suppression. Commissioner Ruddiman seconded. Passed 4-0. 6/24/97

ELECTION OF OFFICERS  
Commissioner Whelan moved that the officers for the coming year be: David Jincks, President; Tom Ruddiman, Vice President; Alan Brown, Treasurer; Ed Whelan, Secretary; and Rob Halverson, Asst. Secretary-Treasurer. Commissioner Ruddiman seconded. Passed 4-0. 7/22/97

SIGNATORIES DESIGNATION  
Commissioner Whelan moved to adopt Resolution 5-1997, a resolution authorizing signatories according to the new slate of officers. Commissioner Ruddiman seconded. Passed 4-0. 7/22/97

TRUCK PURCHASE



Commissioner Whelan moved to authorize the purchase of a flatbed truck for \$5,800.  
Commissioner Ruddiman seconded. Passed 4-0. 7/22/97

#### EAST LOT DESIGN REVIEW COMMITTEE RECOMMENDATION

Commissioner Whelan moved, Ruddiman seconded, adoption of the recommendation  
of the East Lot Design Review Committee. Passed 4-0. 7/22/97

#### ENGLUND MARINE LEASE

Commissioner Whelan moved, Halverson seconded, to authorize Don Mann to proceed  
with finalization of the lease pending final review. 7/22/97

#### TERMINAL TARIFF DOCKAGE RATES

Commissioner Halverson moved to adopt revised dockage charges as proposed by  
staff. Commissioner Ruddiman seconded. Passed 4-0. 7/22/97

#### OEDD REGIONAL STRATEGIES CONTRACT

(Salmon Enhancement Polyculture/Port of Newport/Oregon Oyster Farms)

Commissioner Brown to accept and sign the contract. Commissioner Whelan  
seconded. Passed 4-0. 8/26/97

#### PORT/SILETZ INDIANS AGREEMENT

Commissioner Brown moved to authorize the General Manager to sign the MOU.  
Commissioner Whelan seconded. Passed 4-0. 8/26/97

#### CAFFALL BROS. RES 6-1997

Commissioner Halverson moved to adopt the resolution approving a five-year lease  
agreement. Commissioner Brown seconded. Passed 4-0. 8/26/97

#### NIT REDEVELOPMENT PLANNING & PRELIMINARY ENGINEERING REPORT

Commissioner Brown moved to accept the draft report as presented by the consulting  
team. Commissioner Whelan seconded. Passed 4-0. 8/26/97

#### ENGLUND MARINE RESOLUTION 7-1997

Commissioner Brown moved to adopt the resolution authorizing the signing of the  
lease between the Port and Englund Marine. Commissioner Whelan seconded.  
Passed 4-0. 8/26/97

#### OPTION FOR OREGON OYSTER TO PURCHASE FORK LIFT FROM PORT

Commissioner Whelan moved to approve Oregon Oyster's option to purchase fork lift  
after the 18 month restriction period. Commissioner Halverson seconded. Passed 3-0  
with Commissioner Jincks abstaining. 8/26/97

#### RESOLUTION 8-1997

Commissioner Brown moved to adopt Resolution 8-1997 to correct an error in the 1997-98 tax levy amount. Commissioner Halverson seconded. Passed 4-0.

8/26/97

#### JAZZ ON THE WATER FESTIVAL

Commissioner Brown moved to waive the \$750 fee for the festival this year. Commissioner Whelan seconded. Passed 3-0 with Commissioner Halverson abstaining.

8/26/97

#### RESOLUTION TO COMMEND JENNIE PROCTOR

Commissioner Whelan moved that the General Manager draft a letter reflection appreciation for Ms. Proctor's work and wishing her well in her new job. Commissioner Brown seconded. Passed 4-0.

8/26/97

#### AUDIT REPORT

Commissioner Whelan moved to accept the audit report for FY 1996-97. Commissioner Brown seconded. Passed 5-0.

10/28/97

#### STREET VACATIONS/EULIIO ST. & FALL ST.

Commissioner Whelan moved to approve both street vacations. Commissioner Halverson seconded. Passed 5-0.

10/28/97

#### SEA GULL CHARTER LEASE RENEWAL

Commissioner Ruddiman moved to renew the lease for Sea Gull Charters. Commissioner Whelan seconded. Passed 5-0.

10/28/97

#### OEDD REGIONAL STRATEGIES CONTRACT--PORT OF NEWPORT/OREGON OYSTER FARMS--SIGNATORIES

Commissioner Whelan moved to designate the General Manager as signatory on the contract, replacing Commissioner Jincks as he had requested. Commissioner Brown seconded. Passed 5-0.

10/28/97

#### EXPENDITURE AUTHORIZATION GEAR STORAGE PROJECT

Commissioner Whelan moved to give the General Manager authority to approve expenditures up to but not to exceed the cost of the project. Commissioner Halverson seconded. Passed 5-0.

10/28/97

#### G.O. BOND REFINANCE

Commissioner Whelan moved to proceed with refinance of certain G.O. bonds. Commissioner Brown seconded. Passed 4-0.

11/25/97

#### KEY CARD REFUNDING:RESOLUTION 9-1997

Commissioner Brown moved to adopt Resolution 9-1997 regarding refunding of South Beach key card deposits. Commissioner Halverson seconded.

Passed 4-0.

11/25/97

#### BOND REFINANCE: RES 10-1997 AND 11-1997

Commissioner Whelan moved to adopt Resolution 10-1997 authorizing the Port to submit a plan to the Oregon State Treasurer for approval to issue advance refinancing bonds. Commissioner Brown seconded. Passed 3-0

Commissioner Whelan moved to adopt Resolution 11-1997 authorizing the issuance of the general obligation bonds series 1998. Commissioner Brown seconded. Passed 3-0.  
12/16/97

#### COMMISSION VACANCY

Commissioner Brown moved to approve the selection committee's recommendation to appoint Bob Jacobson to fill the vacancy of Position No. 1, replacing Tom Ruddiman.

Commissioner Whelan seconded. Passed 3-0. 12/16/97

#### GROUND LEASE/PACIFIC DRAGGERS, INC., RESOLUTION 1-1998

Commissioner Whelan moved to approve and adopt Resolution 1-1998 as discussed previously, effecting the ground lease between the Port of Newport and Pacific Driggers, Inc. Commissioner Jacobson seconded. Passed 4-0, with Commissioner Jincks abstaining citing a conflict of interest. 1/27/98

#### GROUND LEASE/YAQUINA TRAWLERS, INC., RESOLUTION 2-1998

Commissioner Whelan moved to approve and adopt Resolution 2-1998 as recommended, effecting the ground lease between the Port of Newport and Yaquina Trawlers, Inc. Commissioner Jacobson seconded.

Passed 5-0. 1/27/98

#### YAQUINA TRAWLERS, INC. LEASE AMENDMENT

Commissioner Brown moved to grant a reduction request and ratify the amendment to the ground lease. Commissioner Whelan seconded. Passed 5-0. 2/24/98

#### STATE MARINE BOARD GRANT APPLICATION, SOUTH BEACH PUMPOUT STATION

Commissioner Brown moved to ratify action taken when application was submitted.

Commissioner Jacobson seconded. Passed 5-0. 2/24/98

#### OREGON OYSTER FARM GRANTED PERMISSION TO SUBLET TO FREE WILLY-KEIKO FOUNDATION, AND ALTER FISH RACEWAY

Commissioner Whelan moved to send letter granting permission. Commissioner Halverson seconded. Commissioner Jincks cited conflict of interest. Motion passed.

2/24/98

#### DSL, PROJECT ML-10491

Commissioner Brown moved to approve the re-negotiated lease between the Port and DSL, Project No. ML-10491, as recommended by staff. Commissioner Whelan seconded. Passed 3-0. 3/24/98

AMENDED LOAN CONTRACT WITH OEDD FOR TERMINAL STORAGE BLDG  
Commissioner Whelan moved to amend the contract between the Port and OEDD to cover the final costs of construction of the gear storage building. Commissioner Brown seconded. Passed 3-0. 3/24/98

#### PAY RAISE FOR GENERAL MANAGER

Commissioner Brown moved to grant General Manager Don Mann a 34% merit pay increase, retroactive to March 1, 1998, and a 2% cost of living raise, to start July 1, 1998. Commissioner Whelan seconded. Passed 3-0. 3/24/98

#### SURPLUS EQUIPMENT

Commissioner Whelan moved to declare certain port equipment surplus so that it could be sold at a sealed bid auction. Commissioner Brown seconded. Passed 4-0. 4/28/98

#### SOUTH BEACH FUEL DOCK UPGRADES

Commissioner Whelan moved to accept Al Hatton's offer of \$10,000 toward upgrading of fuel tanks at South Beach and proceed with the project. Commissioner Brown seconded. Passed 4-0. 4/28/98

#### CAPSTONE TURBINE GROUND LEASE

Commissioner Whelan moved that a draft lease be prepared and negotiations continued on the lease agreement between the Port and Capstone. Commissioner seconded. Passed 3-0 with Commissioner Jincks abstaining. 4/28/98

#### NEWPORT MARINA STORE & CHARTERS TRANSFER OF LEASE

Commissioner Whelan moved to transfer lease on the Marina Store. Commissioner Halverson seconded. Passed 4-0. 4/28/98

#### PACIFIC SHRIMP LICENSE

Commissioner Halverson moved to enter into an agreement with Pacific Shrimp to use Port Dock 3. Commissioner Brown seconded. Passed 4-0. 4/28/98

#### OEDD SPECIAL PUBLIC WORKS PROJECT L90012

Commissioner Whelan moved that documents be signed, closing out the project. Commissioner Brown seconded. Passed 4-0. 4/28/98

#### FRED WAHL PROJECT

Commissioner Whelan moved to support project but the Port cannot accommodate. Commissioner Brown seconded. Passed 4-0. 4/28/98

#### NORTHERN REFRIGERATION PROJECT

Commissioner Brown moved to grant GM permission to enter into land lease with Michelle & Brad Putman (dba Northern Refrigeration) at the terminal site.

Commissioner Whelan seconded. Passed 4-0. 4/28/98

#### LEASE/FOULWEATHER TRAWL

Commissioner Brown moved to adopt Resolution 3-1998, effecting the lease between the Port and Foulweather Trawl. Commissioner Whelan seconded. Passed 5-0.

5/26/98

#### CAPSTONE TURBINE GROUND LEASE

Commissioner Whelan moved to adopt Resolution 4-1998, effecting the ground lease between the Port and Capstone Turbine. Commissioner Brown seconded. Passed 5-0. 5/26/98

#### STREET VACATION

Commissioner Brown to ratify telephone poll regarding street vacation -- portion S.W. 8th & Case. Commissioner Halverson seconded. Passed 5-0. 5/26/98

#### TERMINAL AREA FIREWORKS

Commissioner Jacobson moved to leave the area open and allow legal fireworks. Commissioner Halverson seconded. Commissioner Jincks amended to include notice that if illegal fireworks were used in the area there would be a possibility of closing it to all fireworks in the future. Amended motion passed 5-0 6/23/98

#### RESOLUTION 5-1998 – RESERVE FUND FOR FACILITIES MAINTENANCE

Commissioner Brown moved to adopt. Commissioner Jacobson seconded. Passed 5-0. 6/23/98

#### RESOLUTION 6-1998 – ELIMINATE OPERATIONAL DEBT SERVICE FUND

Commissioner Brown moved to adopt. Commissioner Halverson seconded. Passed 5-0. 6/23/98

#### RESOLUTION 7-1998 – ADOPT BUDGET, LEVY TAXES

Commissioner Brown moved to adopt. Commissioner Jacobson seconded. Passed 5-0. 6/23/98

#### RESOLUTION 8-1998 – ADOPT SERVICE RATES, LAUNCH RAMP FEES

Commissioner Brown moved to adopt. Commissioner Jacobson seconded. Passed 5-0. 6/23/98

#### FACILITIES MAINTENANCE PLAN

Commissioner Halverson moved to adopt as presented. Commissioner Jacobson seconded. Passed 5-0. 6/23/98

#### OEDD TERMINAL WAREHOUSE LOAN CONTRACT AMENDMENT

Commissioner Brown moved to accept amendment. Commissioner Whelan seconded. Passed 5-0. 6/23/98

#### FINALIZATION NORTHERN REFRIGERATION LEASE

Commissioner Brown moved that the General Manager be authorized to finalize and sign the lease. Commissioner Whelan seconded. Passed 5-0. 6/23/98

#### PORT AUDITORS CONTRACT

Commissioner Jacobson moved to authorize new contract with Port's auditors. Commissioner Brown seconded. Passed 5-0. 6/23/98

#### ARCTIC ALASKA LEASE/ODOR PROBLEM

Commissioner Whelan moved that the General Manager be instructed to consult with legal counsel about the possibility of terminating the lease with Tyson Foods and the fish meal plant. Commissioner Halverson seconded. Passed 5-0. 6/23/98

#### 15-TON MOBILE CRANE

Commissioner Jacobson moved to authorize and proceed with purchase of a 15-ton mobile crane. Commissioner Whelan seconded. Passed 5-0. 7/28/98

#### CAFFALL BROS. 6-MONTH RENT REDUCTION

Commissioner Jacobson moved to increase the lease for Caffall Bros back to the rate of \$1,300 per month. Commissioner Whelan seconded. Passed 3-2. 7/28/98

#### R. BARRY FISHER APPRECIATION/ROWING BOATHOUSE DONATION, RESOLUTION 9-1998

Commissioner Whelan moved to adopt Resolution 9-1998, a resolution of appreciation for Capt. R. Barry Fisher. Commissioner Jacobson seconded. Passed 5-0. 7/28/98

#### ARCTIC ALASKA MEAL PLANT ODOR

Commissioner Whelan moved that the Commission call a special session with legal counsel to determine the Port's options. Commissioner Jacobson seconded. Passed 4-0. 8/6/98

#### TERMINAL WAREHOUSE LEASE

Commissioner Jacobson moved to begin work on a traffic ordinance for use of the terminal dock and grounds; and that the General Manager prepare preliminary lease documents, specific to the scope of work and intent of the lease, that would cover all points. Commissioner Whelan seconded. Passed 4-0. 8/6/98

#### CAFFALL BROS. FOREST PRODUCTS

Commissioner Halverson moved to continue the rate reduction on Caffall's lease for another six months. Commissioner Jacobson seconded. Passed 3-1. 8/6/98

#### GEAR STORAGE BUILDING

Commissioner Whelan moved that the Port act as general contractor, hiring temporary employees and moving forward with construction of the gear storage building at the terminal. Commissioner Jacobson seconded. Passed 4-0. 8/6/98

#### ELECTIONS OF OFFICERS

Commissioner Brown moved that the slate of officers for the past year be continued. Commissioner Halverson seconded the motion. Passed 4-0. 8/25/98

#### SOUTH BEACH OPERATIONS/SERVEN MARINE PORT REVOLVING LOAN FUND LOAN APPLICATION

Commissioner Halverson moved to authorize staff to proceed with an application for construction of a building in South Beach to house South Beach operations and Serven Marine. Commissioner Jacobson seconded. Passed 4-0. 8/25/98

#### STATE AND FEDERAL SURPLUS PROPERTY POLICY

Commissioner Jacobson moved to adopt staff's State and Federal Surplus Property Policy as written. Commissioner Brown seconded. Passed 4-0. 8/25/98

#### SURPLUS PROPERTY

Commissioner Brown moved that items as listed be declared surplus and be disposed of. Commissioner Halverson seconded. Passed 4-0. 8/25/98

#### NEWPORT MARINA STORE & CHARTERS

Commissioner Halverson moved that the Newport Marina Store & Charters lease be amended to allow another charter boat. Commissioner Brown seconded. Passed 3-0. 8/25/98

#### TERMINAL DOCKSIDE TIE UP POLICY

Commissioner Halverson moved to adopt the dockside tie up policy, and then amended his motion to include language proposed by the General Manager as it relates to deep draft shipping. The policy will be reviewed again in six months. Commissioner Jacobson seconded. Passed 4-0. 10/27/98

#### CAPSTONE TURBINE CORPORATION LEASE RENEWAL

Commissioner Jacobson moved to renew the lease with Capstone for an additional six months. Commissioner Halverson seconded. Passed 4-0. 10/27/98

#### TIDELANDS LEASE GUIDELINES

Commissioner Brown moved that the General Manager be directed to proceed as outlined, making every effort to keep the public informed as to the direction of the project. Commissioner Jacobson seconded. Passed 3-0. 10/27/98

#### CWACT PORT REPRESENTATIVES

Commissioner Whelan moved, Halverson seconded, to name Alan Brown and Maureen Keeler as Primary and Alternate representatives. Passed 4-0. 11/24/98

#### STREET VACATION, 29<sup>TH</sup> STREET, SOUTH BEACH

Commissioner Brown moved, Halverson seconded, to approve the street vacation. Passed 4-0. 11/24/98

#### STREET VACATION, CORNER OF EAST OLIVE & US HIGHWAY 101

Commissioner Brown moved, Halverson seconded, to approve the street vacation. Passed 4-0. 11/24/98

#### \$100,000 EMERGENCY BOND—PEDESTRIAN RAMPS, MARINA ACCESS

Commissioner Whelan moved, Brown seconded, that the Port pursue issuing a \$100,000 e-bond and gather information to support the action, including legal justification for the bond. Passed 4-0. 11/24/98

#### E-BOND PEDESTRIAN RAMPS

Commissioner Whelan moved, Jacobson seconded, that staff prepare necessary documents for the e-bond for approval at January meeting. Passed 4-0. 12/22/98

#### COMMISSION POSITION NO. 3

Commissioner Brown moved, Jacobson seconded, to offer commission vacancy to Mark Fisher. Passed 4-0. 12/22/98

#### TERMINAL TARIFF

Commissioner Whelan moved, Jacobson seconded, to adopt an increase of \$1.00 per 1000 bfm scribner scale in wharfage and service and facility rates for logs only, effective January 1999. Passed 4-0. 12/22/98

#### PORT OPERATIONS/SERVEN MARINE BUILDING RFP

Commissioner Jacobson moved, Brown seconded, to move ahead with expenditures against the loan for the Port Ops/Serven building when contract was signed with OEDD. Passed 4-0. 12/22/98



**PORT REVOLVING LOAN FUND CONTRACT & MORTGAGE, SOUTH BEACH BUILDING**

Commissioner Jacobson moved, Fisher seconded, to accept assignment of the lease and sign the loan contract with OEDD. Passed 4-0. 1/26/99

**PORT OPERATIONS/SERVEN MARINE BUILDING**

Commissioner Fisher moved, Jacobson seconded, to accept the bid from Willow Creek Construction. Passed 4-0. 1/26/99

**PORT OPERATIONS/SERVEN MARINE BUILDING**

Commissioner Jacobson moved, Fisher seconded, to deliver Letter of Intent to Willow Creek Construction and move forward with the project. Passed 4-0.

1/26/99

**E-BOND, PEDESTRIAN RAMPS RES. 1-1999**

Commissioner Halverson moved, Fisher seconded, that the Port issue an Emergency Bond as proposed under Res. 1-1999. Passed 4-0. 1/26/99

**HIGHWAY 20/34 INTERIM CORRIDOR STRATEGY RES 2-1999**

Commissioner Jacobson moved, Fisher seconded, to accept Res. 2-1999 (endorsement by local jurisdictions). Passed 4-0.

1/26/99

**LAUNCH RAMP PLANNING, DESIGN, ENGINEERING**

Commissioner Halverson moved, Jacobson seconded, to accept proposal from Peratrovich, Nottingham, and Drage, and award the contract in partnership with Oregon State Marine Board. Passed 4-0. 1/26/99

**AUDIT REPORT**

Commissioner Jacobson moved, Fisher seconded, to approve the Audit Report for the year ending June 30, 1998. Passed 4-0. 1/26/99

**LEASE TRANSACTIONS**

Commissioner Fisher moved, Jacobson seconded, to accept proposed assignment of lease between Caffall Bros and Thompson Timber. Passed 4-0 with Chairman Jincks abstaining.

Commissioner Brown moved, Fisher seconded, to approve lease between the Port and Newport Belle Bed & Breakfast. Passed 5-0.

Commissioner Brown moved, Jacobson seconded, to approve renewal of A.M. Hatton lease for South Beach Fuel Dock. Passed 5-0.

Commissioner Fisher moved, Halverson seconded, to approve lease extension between the Port and US GSA Customs for office space at terminal. Passed 5-0.

Commissioner Halverson moved, Fisher seconded, to approve lease between Port and Serven Marine for land and building at South Beach. Passed 5-0. 2/23/99

RESOLUTION 3-1999, OEDD PORT PLANNING & MARKETING GRANT APPLICATION, BOARDWALK AND EAST LOT

Commissioner Brown moved, Halverson seconded, to adopt Resolution 3-1999, as necessary to request grant funds \$11,500. Passed 5-0. 2/23/99

LEASE TRANSACTIONS – RESOLUTION 7-1999

Commissioner Fisher moved, Brown seconded, to delete the Yaquina Bay Yacht Club Option to Lease from the resolution, approving the leases between the Port of Newport and Dale & Kathy/Port Dock Marina Fuel dock, and the Port of Newport and A.M. Hatton/South Beach Fuel Dock. Passed 4-0. 3/30/99

NEWPORT BELLE MONTHLY RENT ADJUSTMENT

Commissioner Brown moved, Halverson seconded, to amend the lease reflecting the change in base rent from \$576 to \$530. Passed 4-0. 3/30/99

RESOLUTION 5-1999 DESIGNATING BANK SIGNATORIES

Commissioner Fisher moved, Brown seconded, to approve the resolution, amending the wording of paragraph 3. Passed 4-0. 3/30/99

MARCH 9, 1999 SPECIAL DISTRICT ELECTION OFFICIAL ABSTRACT OF VOTES

Commissioner Brown moved, Fisher seconded, to accept the Official Abstract of Votes as distributed by the County Clerk's office. Passed 4-0. 3/30/99

RESOLUTION 6-1999 EMERGENCY BOND PEDESTRIAN RAMPS

Commissioner Halverson moved, Fisher seconded, to approve and adopt Resolution 6-1999, an emergency bond for pedestrian ramps at South Beach. Motion passed 3-0 with Commissioner Brown abstaining. 3/30/99

OREGON OYSTER LEASE TERMINATION

Commissioner Halverson moved, Fisher seconded, to terminate the existing lease with Oregon Oyster Farms as of March 30, 1999, and negotiate a new lease with Oregon Oyster Farms for the nursery building and office space. Passed 3-0 with Commissioner Brown abstaining. 3/30/99

HOY MARINE

Commissioner Fisher moved, Brown seconded, to proceed with legal action if Hoy did not make a minimum weekly payment of \$1,000 for the remainder of Hoy's occupancy or contract term. Passed 4-0. 3/30/99

#### CWACT TECHNICAL COMMITTEE REPRESENTATIVE

Commissioner Brown moved, Fisher seconded, to ratify the appointment of Maureen Keeler to the committee. Passed 4-0. 4/27/99

#### YBYC OPTION TO LEASE LAND

Commissioner Fisher moved, Brown seconded, to approve Option to Lease Land between the Port and YBYC. Passed 3-0. 5/25/99

#### NEWPORT BELLE RENT ADJUSTMENT

Commissioner Fisher moved, Brown seconded, to approve amendment to lease and MOU between the Port and Sherry Porter adjusting monthly rent. 5/25/99

#### PORT OF NEWPORT/DOJ CONSENT DECREE

Commissioner Brown moved, Fisher seconded, that the Commission President be authorized to sign Consent Decree for the claim settlement with the Department of Justice. Motion passed 3-0. 5/25/99

#### RES. 8-99 ADOPTING BUDGET, MAKING APPROPRIATIONS, LEVYING TAXES

Commissioner Brown moved, Fisher seconded, to adopt resolution as recommended. Passed 4-0. 6/22/99

#### RES. 9-99 ADOPTING MOORAGE AND RV PARK RATES

Commissioner Brown moved, Fisher seconded, to adopt. Passed 4-0. 6/22/99

#### ELECTION OF OFFICERS 1999

Commissioner Fisher moved, Jacobson seconded, that the present slate of officers be continued for another term. Passed 5-0. 7/27/99

#### OREGON OYSTER FARMS LEASE

Commissioner Fisher moved, Jacobson seconded, to approve the lease. Passed 3-0 with Commissioners Jincks and Brown abstaining. 7/27/99

#### RESOLUTION 10-1999

Commissioner Halverson moved, Jacobson seconded, to approve and adopt Resolution 10-1999 designating registered office and registered agent. Passed 5-0. 7/27/99

#### ASSIGNMENT OF LEASE/ARCTIC ALASKA-TYSON TO TRIDENT SEAFOODS

Commissioner Jacobson moved, Fisher seconded, to proceed with lease transfer, based on further due diligence by the General Manager, from Tyson Seafoods to TT Acquisitions, a wholly owned subsidiary of Trident Seafoods. Passed 5-0. 7/27/99

#### GENERAL MANAGER SALARY

Commissioner Halverson moved, Jacobson seconded, that the General Manager should receive a 2% merit increase effective January 1, 1999, and a 3% cost of living increase based on last year's salary effective July 1, 1999. Passed 5-0.

7/27/99

#### VACATION OF AN ALLEY

Commissioner Brown moved, Halverson seconded, to notify the City of Newport that there was no opposition to the proposed vacation of an alley, Block 19, Bayley and Case's Addition. Passed 5-0.

8/24/99

#### TERMINAL EXCAVATION WORK—SPWF APPLICATION

Commissioner Fisher moved, Halverson seconded, that staff proceed with application process to the state. Passed 3-0.

9/28/99

#### STREET VACATION—BLOCK 19, BAYLEY AND CASE ADDITION, TM 11-11-8CA

Commissioner Halverson moved, Fisher seconded, to approve vacation. Passed 3-0.

9/28/99

#### EAST LOT/BOARDWALK PROJECT—OPTIONS A AND C

Commissioner Fisher moved, Jacobson seconded, that the Port accept the design styles and combination of options A and C, without a dollar amount. Passed 4-0.

10/26/99

#### RON SLOAN LEASE--RESOLUTION 10-1999

Commissioner Jacobson moved, Brown seconded, to approve the lease between the Port and Ron Sloan for part of the South Beach salmon facility. Passed 4-0.

10/26/99

#### NEWPORT INT'L TERMINAL REMEDIATION & INVESTIGATION – SPWF APPLICATION

Commissioner Fisher moved, Brown seconded, to approve the submission of the application. Passed 4-0.

11/23/99

#### ASSIGNMENT OF LEASE: NEWPORT MARINE

Commissioner Brown moved, Halverson seconded, to approve assignment of lease held by Newport Marine Co. and dated September 9, 1974, to the Association of Unit Owners of Embarcadero. Passed 4-0.

12/28/99

#### A.M. HATTON/SOUTH BEACH FUEL DOCK—ASSIGNMENT OF LEASE

Commissioner Jacobson moved, Halverson seconded, to approve the request to assign the lease dated April 1, 1999, between the Port of Newport and A.M. Hatton, Inc. to David and Amy Ritchie. Passed 3-0.

01/25/00

#### SERVEN MARINE LEASE AMENDMENT

Commissioner Brown moved, Halverson seconded, to approve the amendment of lease dated February 22, 2000, between the Port and Ken Serven dba Serven Marine.  
Passed 5-0. 02/22/00

#### PERSONNEL MANUAL UPDATE

Commissioner Jacobson moved, Brown seconded, to continue action on the personnel manual for another month. Motion passed 5-0. 02/22/00

#### DECLARATION OF SURPLUS PROPERTY

Commissioner Brown moved, Fisher seconded, to declare six listed items surplus to be used in trade with Fred Wahl Marine Construction for work done on the Port's tug, Mildred C. Motion passed 5-0. 02/22/00

#### GENERAL MANAGER'S MERIT SALARY INCREASE

Commissioner Jacobson moved to award General Manager Don Mann a 3-1/2% merit increase based on performance. Commissioner Fisher amended, adding that it was stipulated in the GM's original employment contract that the commission would review his performance and set merit increases each year on his anniversary date. Commissioner Brown seconded the amended motion. Passed 5-0. 02/22/00

#### R/V HERO—COMMERCIAL LEASE PORT DOCK 3

Commissioner Brown moved, Fisher seconded, to delegate the General Manager to finalize the lease and MOU contingent on final conditions as recommended. Motion passed 5-0. 03/28/00

#### PERSONNEL MANUAL UPDATE

Commissioner Brown moved, Jacobson seconded, to approve Resolution 1-2000 adopting personnel policies for the Port. Motion passed 4-0. 03/28/00

#### HOUSE BILL 2079—LONG TERM CARE PROVIDERS

Commissioner Brown moved, Fisher seconded, to take no action on granting a tax exemption. Motion passed 5-0. 03/28/00

#### SURPLUS PORT VEHICLES

Commissioner Fisher moved, Brown seconded, to ratify action taken by way of a signature poll to declare three specific vehicles surplus to the Port's needs. Motion passed 4-0. 04/25/00

#### ROGUE BREWERY ENTRANCE SIGNAGE

Commissioner Halverson moved, Brown seconded, an amended motion to not approve Rogue Ales' entrance silo based on a lack of building permit and engineer's approval, and on the color. Motion passed 4-0. 04/25/00

OPRD LOCAL GOVERNMENT GRANT APPLICATION—RESOLUTION 2-2000  
Commissioner Fisher moved, Brown seconded, to adopt Resolution 2-2000, authorizing the Port to apply for a grant for rehabilitation of the fishing pier and marina facilities in South Beach. Motion passed 4-0. 04/25/00

EMERGENCY BOND—RESOLUTION 3-2000  
Commissioner Fisher moved, Jacobson seconded, to adopt Resolution 3-2000, authorizing issuance and sale of a Limited Tax Emergency Bond, Sries 2000, in the amount of \$100,000 to fund repairs and maintenance at Port Dock 5, the terminal dock, and the public fishing pier. Motion passed 4-0. 04/25/00

STREET VACATION—PORTION OF S.W. 13<sup>TH</sup> STREET  
Commissioner Fisher moved, Jacobson seconded, to approve the street vacation. Motion passed 4-0. 04/25/00

NEWPORT INT'L TERMINAL GEOTECH INVESTIGATION CONTRACT  
Commissioner Jacobson moved, Fisher seconded, to grant the General Manager authorization to sign the contract with Berger/Abam for the second phase of remediation work at the terminal. Motion passed 4-0. 04/25/00

EMERGENCY BOND—RESOLUTION 3-2000  
Commissioner Fisher moved, Jacobson seconded, to adopt Resolution 3-2000, authorizing issuance of a \$100,000 emergency bond. Motion passed 4-0. 05/23/00

STREET VACATION—PORTION OF SW 13<sup>TH</sup>  
Commissioner Fisher moved, Jacobson seconded, to approve the street vacation. Motion passed 4-0. 05/23/00

NEWPORT INT'L TERMINAL GEOTECH INVESTIGATION CONTRACT  
Commissioner Jacobson moved, Fisher seconded, to authorize the General Manager to sign the contract. Motion passed 4-0. 05/23/00

RESOLUTION 4-2000 ADOPTING BUDGET, MAKING APPROPRIATIONS, LEVYING TAXES  
Commissioner Brown moved, Fisher seconded, to adopt Resolution 4-2000. Motion passed 4-0. 06/27/00

RESOLUTION 5-2000, SALE OF BAY ROAD MARINE PROPERTY  
Commissioner Fisher moved, Brown seconded, to adopt Resolution 5-2000. Motion passed 4-0. 06/27/00

ELECTION OF OFFICERS

Commissioner Halverson nominated Mark Fisher as Commission President. Commissioner Jacobson seconded. Motion passed 3-1. Commissioner Halverson moved that Commissioner Jacobson continue as Vice President. Commissioner Jacobson accepted. Motion passed 4-0. Commissioner Fisher nominated Commissioner Halverson as Secretary, moved that Commissioner Brown continue as Treasurer, and nominated Commissioner Jincks as Assistant Secretary-Treasurer. Commissioner Jacobson seconded and motions passed 4-0. 07/25/00

#### CARVALHO LEASE

Commissioner Halverson moved, Fisher seconded, to approve the lease between Carvalho Fisheries and the Port of Newport. Motion passed 4-0. 07/25/00

#### PORT COMMISSION REGULAR MEETING TIME

Commissioner Jacobson moved, Jincks seconded, to formalize the meeting schedule for the Board of Commissioners, meeting in one combined Work Session and Regular Meeting at noon on the fourth Tuesday of each month. Motion passed 4-0. 07/25/00

#### SDAO FLEX LEASE RESOLUTION 6-2000

Commissioner Brown moved, Halverson seconded, to adopt the resolution. Motion passed 3-0. 08/22/00

#### STREET VACATION 1,316+ SQ. FT. PORTION OF S.E. 10<sup>th</sup>

Commissioner Brown moved, Halverson seconded, not to oppose the street vacation. Motion passed 3-0. 08/22/00

#### OECDD PORT PLANNING & MARKETING FUND APPLICATION

Commissioner Brown moved, Jacobson seconded, to ratify the Port's application for funding for two projects—the updating of the Port's Strategic Business Plan and a feasibility study for the development of five acres at South Beach. Motion passed 3-0. 09/26/00

#### BERGER/ABAM CONTRACT—BAY BLVD./EAST LOT IMPROVEMENT PROJECT

Commissioner Jacobson moved, Brown seconded, to ratify the contract agreement between the Port and Berger/Abam. Motion passed 3-0. 09/26/00

#### BAY BLVD./EAST LOT IMPROVEMENT OECDD SPWF APPLICATION

Commissioner Brown moved, Jacobson seconded to approve the application. Motion passed 3-0. 09/26/00

OREGON CASCADES WEST COUNCIL OF GOVERNMENTS MEMBERSHIP—  
ORDINANCE 2-2000

Commissioner Jacobson moved, Brown seconded, to adopt the ordinance re-establishing the Port's membership. Motion passed 3-0. 09/26/00

HMSC OYSTER BROODSTOCK PROJECT

Commissioner Jincks moved, Brown seconded, to approve request to place bags of broodstock oysters on intertidal ground near HMSC. Motion passed 4-0. 11/28/00

BAY BLVD./EAST LOT CONTRACT MANUAL

Commissioner Jincks moved, Halverson seconded, to approve contract manual for the Bay Blvd/East Lot Improvement Project. Motion passed 4-0. 11/28/00

SEA GULL CHARTER TRANSFER OF LEASE

Commissioner Jacobson moved, Jincks seconded, to approve the transfer of Sea Gull Charter's lease from Dick & Sandra Overfield to Greig and Julia Todd. Motion passed 4-0. 12/19/00

GENERAL MANAGER'S MERIT RAISE

Commissioner Halverson moved, Jincks seconded, to grant General Manager Don Mann a merit raise of \$200 per month, a car allowance of \$200 per month, and a cost of living increase according to increases granted to the rest of the Port staff in July, 2001. Motion passed 3-0. 12/19/00

COMMISSION APPOINTMENT POSITION NO.4

Commissioner Jincks moved, Halverson seconded, to appoint Don Mathews to serve the remainder of Alan Brown's term. Motion passed 3-0. 12/19/00

NORTH JETTY AUTHORIZATION FOR ENTRY FOR CONSTRUCTION

Commissioner Jacobson moved, Jincks seconded, to approve the authorization for entry for construction. Motion passed 5-0. 01/30/01

STRATEGIC BUSINESS PLAN FINAL DRAFT

Commissioner Halverson moved, Jacobson seconded, to approve and accept the final draft of the Strategic Business Plan Update. Motion passed 5-0. 01/30/01

DSL SUBMERGED & SUBMERSIBLE LAND LEASE ML-7150 (Sea Gull Charters)

Commissioner Jincks moved, Halverson seconded, to accept the sign the new land lease. Motion passed 5-0. 01/30/01

NEWPORT MARINA STORE & CHARTERS LEASE RENEWAL

Commissioner Jacobson moved, Mathews seconded, to approve the lease with changes as outlined by the General Manager. Motion passed 5-0. 01/30/01



**AQUA SEED CONTINGENCY AGREEMENT**

Commissioner Jacobson moved, Jincks seconded, to grant a six-month contingency option to Aqua Seed Corporation. Motion passed 5-0. 01/30/01

**BAY BOULEVARD BOARDWALK AND EAST LOT IMPROVEMENTS  
NEWPORT URBAN RENEWAL INTERGOVERNMENTAL AGREEMENT**

Commissioner Jacobson moved, Mathews seconded, to approve Draft No. 6 of the Agreement pursuant to legal counsel's and the City's review. Motion passed 5-0 02/27/01

**BAY BOULEVARD BOARDWALK AND EAST LOT IMPROVEMENTS  
ADDENDUM NO. 1**

Commissioner Halverson moved, Jincks seconded, to approve Addendum No. 1. Motion passed 5-0. 02/27/01

**OREGON ECONOMIC AND COMMUNITY DEVELOPMENT DEPARTMENT, SPECIAL  
PUBLIC WORKS FUND LOAN CONTRACT ORDINANCE 1-2001**

Commissioner Jacobson moved, Mathews seconded, to approve Ordinance 1-2001. Motion passed 5-0. 02/27/01

**OECD PORT PLANNING & MARKETING APPLICATION—BUSINESS &  
TECHNOLOGY INCUBATOR CENTER FEASIBILITY STUDY**

Commissioner Jacobson moved, Fisher seconded, to approve submitting application for funding. Motion passed 5-0. 02/27/01

**RESOLUTION 1-2001**

Commissioner Jacobson moved, Halverson seconded, to accept Resolution 1-2001, adopting the Supplemental Budget. Motion passed 4-0. 03/27/01

**ACOE RIGHT OF ENTRY**

Commissioner Jacobson moved, Halverson seconded, to grant the Army Corps of Engineers Right of Entry to bring in equipment to do borings on property leased from the Port by the Hatfield Marine Science Center. Motion passed 4-0.

03/27/01

**DECLARATION OF SURPLUS REAL PROPERTY, YAQUINA BAY ROAD WOOD LOT  
SALE, 11-11-27-22, RESOLUTION 2-2001**

Commissioner Halverson moved, Mathews seconded, to declare the Yaquina Bay Road Wooded Lot surplus to the Port's needs. Motion passed 4-0. 03/27/01

**PARKING LOT LEASE AT PORT DOCK 5**

Commissioner Halverson moved, Jacobson seconded, to approve the amendment extending the lease for the parking lot, formerly owned by Gracie Strom and now owned by Ross Murry, for one year. Motion passed 4-0. 03/27/01

#### NEW FORKLIFT PURCHASE/SURPLUS EQUIPMENT

Commissioner Jacobson moved, Mathews seconded, to purchase the Daewoo G25-DF forklift from Prime Rental, and declare the Caterpillar V50D surplus. Motion passed 4-0. 03/27/01

#### LINCOLN DEVELOPMENT CORPORATION SETTLEMENT OFFER

Commissioner Jacobson moved, Jincks seconded, to accept the \$75,000 settlement offer from Lincoln Development Corporation as their share of the cleanup costs of the former Hoy Marine site, contingent on that offer being approved by the DEQ. Motion passed 5-0. Special Meeting 04/11/01

#### MARCH 13, 2001 ELECTION—ABSTRACT OF VOTES

Commissioner Jincks moved, Fisher seconded, to accept the Abstract of Votes for the Special District Election as submitted. Motion passed with a quorum of 2-0, Commissioners Halverson and Mathews abstaining. 04/24/01

#### MAY PORT COMMISSION DATE

Commissioner Mathews moved, Jincks seconded to change the meeting date for the May meeting from May 22 to May 29. Motion passed 4-0. 04/24/01

#### BUDGET DOCUMENTS

Commissioner Jacobson moved, Mathews seconded to approve the budget documents for FY 2001-2002. Motion passed 5-0. 06/26/01

#### RESOLUTION 3-2001

Commissioner Jacobson moved, Halverson seconded to adopt resolution 3-2001, adopting budget, making appropriations, and levying taxes for FY 2001-2002 budget. Motion passed 5-0. 06/26/01

#### OREGON COASTAL PORT RECREATIONAL IMPACT STUDY

Commissioner Fisher authorized staff to complete the application on behalf of the Port for a \$25,000 grant, and to enter into Intergovernmental Agreements with the Corps of Engineers and OECDD. All commissioners in favor 4-0. 06/26/01

#### EXTENDING PAYBACK PERIOD FOR 1999 E-BOND

Commissioner Jacobson moved, Mathews seconded to extend the payback period for the 1999 Emergency Bond balance, \$40,000, to April 1, 2011 at an interest rate of 5.85% during the first five years, subject to consideration for the second five years. Motion passed 4-0. 06/26/01

#### ELECTION OF OFFICERS

Commissioner Jincks moved to appoint the new slate of officers according to normal progression, as recommended by the Chairman. Commissioner Mathews seconded. Motion passed 5-0. 07/24/01

#### RESOLUTION OF SUPPORT FOR COLUMBIA RIVER DEEPENING

Commissioner Halverson moved, Mathews seconded, to adopt a Resolution in favor of the Columbia River Channel Coalition's effort to deepen and maintain the Columbia River. Motion passed 5-0.

#### LETTER OF SUPPORT—PORT OF TOLEDO DREDGING

Commissioner Fisher moved, Halverson seconded, to support the Port of Toledo's effort to dredge the navigation channel in the Depoe Slough. Motion passed 5-0. 07/24/01

#### AQUA SEED CONTINGENCY AGREEMENT EXTENSION

Commissioner Fisher moved, Jincks seconded, to extend Aqua Seed's contingency agreement for six months from August 28, 2001. Motion passed 5-0. 08/21/01

#### TERMINAL CRANE PURCHASE/SALE

Commissioner Fisher moved, Mathews seconded, to authorize Commissioner Jincks and the General Manager to purchase a new crane for the terminal and offer the old one for sale. Price range on purchase approximately \$80,000 with leeway. Motion passed 4-0. 08/21/01

#### PORT DEVELOPMENT ACTION PLAN

Commissioner Jincks moved, Fisher seconded, to approve and adopt the Development Action Plan. Motion passed 4-0. 08/21/01

#### NW NATURAL REQUEST FOR EASEMENT

Commissioner Fisher moved, Jincks seconded, to grant easement as requested by NW Natural. Motion passed 4-0. 08/21/01

#### OCZMA RENEWAL OF MEMBERSHIP

Commissioner Fisher moved, Halverson seconded, to renew the Port's membership in OCZMA. Motion passed 4-0. 08/21/01

#### BERGER/ABAM CONTRACT FOR FISHING PIER

Commissioner Jincks moved, Halverson seconded, to sign the contract with Berger/Abam to do the engineering work on the public fishing pier project. Motion passed 4-0. 08/21/01

#### TERMINAL MOBILE CRANE

Commissioner Jincks moved, Fisher seconded, to include financing to replace the gangway at Port Dock 7 in the flex-lease loan that would be used to purchase the

hydro-crane at the terminal. (A motion to approve the purchase of the crane had already been made and passed at the August meeting.) Motion passed 4-0.

09/25/01

#### PORT PLANNING & MARKETING GRANT, MINIMUM DREDGE FLEET STUDY— RESOLUTION 4-2001

Commissioner Jincks moved, Mathews seconded, to adopt Resolution 4-2001, approving the grant application to the OECD and approving commitment of matching funds not to exceed \$2,000 for the Minimum Dredge Fleet Study. Motion passed 3-0.

10/23/01

#### FLEX LEASE—RESOLUTION 5-2001

Commissioner Jincks moved, Mathews seconded, to approve Resolution 5-2001, approving the financing agreement for the flex lease. Motion passed 3-0.

10/23/01

#### SURPLUS PROPERTY

Commissioner Jincks moved, Mathews seconded, to declare the 15-ton Pettibone Hydraulic Crane, model no. 30 MKP, serial no. A17678, surplus. Motion passed 3-0.

10/23/01

#### PROPOSED CITY OF NEWPORT ZONE CHANGES

Commissioner Fisher moved, Halverson seconded, that the Port Commission should direct the Newport City Council to proceed with the land use action on the property known as the “east lot”, splitting the current W-1 (water dependent) zone into W-1 (water dependent) and W-2 (water related). Motion passed 3-0.

11/27/01

#### FACILITIES MAINTENANCE PLAN 2002-2006

Commissioner Fisher moved, Jincks seconded, to approve the Facilities Maintenance Plan 2002-2006 as presented. Motion passed 5-0.

11/27/01

#### SOUTH BEACH WATER LINE EASEMENT

Commissioner Halverson moved, Mathews seconded, to grant the City of Newport an easement over the specified property at South Beach. Motion passed 5-0.

11/27/01

#### AUTHORIZED BANK SIGNERS—RESOLUTION 6-2001

Commissioner Fisher moved, Mathews seconded, to adopt Resolution 6-2001, authorizing bank signers. Motion passed 5-0.

11/27/01

#### WESTERN TITLE

Commissioner Fisher moved, Mathews seconded, that the General Manager direct Port legal counsel to send a letter in response to the one received from the attorney for Western Title, addressing the Commission’s concerns and rejecting the demand for payment. Motion passed 5-0.

11/27/01

#### SOUTH BEACH WATERLINE EASEMENT—PORT/CITY

Commissioner Jincks moved, Fisher seconded, to grant the City of Newport a right of way and easement as described in the Water Pipeline Easement document dated December 27, 2001. Motion passed 3-0. 12/27/01

#### MINIMUM DREDGE FLEET STUDY—RESOLUTION 4-2001

Commissioner Fisher moved, Jincks seconded, to approve the amended Resolution 4-2001 as presented. Motion passed 3-0. 12/27/01

#### MINIMUM DREDGE FLEET CONTRACT

Commissioner Fisher moved, Jincks seconded, to ratify the signing and submission of the personal services contract for the minimum dredge fleet study. Motion passed 3-0. 12/27/01

#### WESTERN TITLE

Commissioner Fisher moved to give General Manager Don Mann authority to work with Port legal counsel in negotiating a settlement with Western Title, up to the amount of \$2,000. Commissioner Jincks seconded but amended the motion removing the \$2,000 limitation. Motion passed 3-0. 12/27/01

#### SURPLUS PROPERTY

Commissioner Fisher moved, Halverson seconded, to declare two steel work barges and a floating boat house surplus to the Port's needs, and authorized the General Manager to remove them from Port property and dispose of them to the best advantage of the Port. Motion passed 5-0. 1/22/02

#### WESTERN TITLE

Commissioner Jincks moved, Halverson seconded, to authorize the General Manager and Port legal counsel to offer to settle with Western Title for the second amount discussed in Executive Session. Motion Passed 4-1. 1/22/02

#### RECREATIONAL BOATING IMPACT STUDY

Commissioner Fisher moved, Jincks seconded, to continue the Port's partnership with the OEDD and ACOE and proceed with Phases 3 and 4 of the study. Motion passed 5-0. 2/21/02

#### AQUA SEED CONTINGENCY AGREEMENT

Commissioner Fisher moved, Jincks seconded, to extend the contingency agreement between the Port of Newport and Aqua Seed for six months from February 28, 2002, on the same terms. Motion passed 5-0. 2/21/02

#### GENERAL MANAGER'S MERIT RAISE

Commissioner Fisher moved, Mathws seconded, to increase the General Manager's salary by 3% retroactive to January 1, 2002. Motion passed 5-0. 2/21/02

#### OECD PORT PLANNING & MARKETING GRANT APPLICATION/RECREATIONAL IMPACT STUDY—RESOLUTION 1-2002

Commissioner Fisher moved, Jincks seconded, to accept the resolution. Motion passed 5-0. 3/21/02

#### AUDIT FY ENDING JUNE 30, 2001

Commissioner Halverson moved, Fisher seconded, to accept the audit report for the fiscal year ending June 30, 2001. Motion passed 5-0. 3/21/02.

#### AUTHORIZED BANK SIGNERS, RESOLUTION 2-2002

Commissioner Jincks moved, Fisher seconded, to adopt the resolution designating authorized signers on Port accounts. Motion passed 5-0. 3/21/02

#### BUDGET COMMITTEE APPOINTMENTS

Commissioner Jincks moved, Halverson seconded, to appoint Alan Brown and Tony Wilder to the Port's budget committee. Motion passed 5-0. 3/21/02

#### AMENDMENT TO COMMERCIAL LEASE—R. MURRY/PORT

Commissioner Jincks moved, Fisher seconded, to approve and adopt the amended lease between the Port and Ross Murry. Motion passed 4-0. 4/23/02

#### OECD SPWF CONTRACT AMENDMENT—EAST LOT/BAY BLVD.

Commissioner Halverson moved, Jincks seconded, to approve the contract amendment. Motion passed 4-0. 4/23/02

#### OREGON BREWING LEASE EXTENSION

Commissioner Fisher moved, Jincks seconded, to extend the OBC lease for thirty days. Motion passed 4-0. 4/23/02

#### J LAMB MARINE ELECTRIC

Commissioner Jincks moved, Halverson seconded, to approve the lease dated April 15, 2002. Motion passed 3-0. 5/28/02

#### OREGON BREWING LEASE EXTENSION

Commissioner Halverson moved, Jincks seconded, to extend the OBC lease for another thirty days. Motion passed 3-0. 5/28/02

#### RESOLUTION 3-2002 ADOPTING TRANSFER OF APPROPRIATIONS

RESOLUTION 5-2002 ADOPTING BUDGET, MAKING APPROPRIATIONS AND LEVYING TAXES

Commissioner Commissioner Fisher moved, Halverson seconded, to accept both resolutions. Motion passed 4-0. 6/25/02

RESOLUTION 4-2002 ENDORSING THE CONCEPT OF THE DEVELOPMENT OF A MARITIME MUSEUM ON PORT PROPERTY

Commissioner Fisher moved, Halverson seconded, to adopt the resolution amending it to include the Fishermen's Market Committee. Motion passed 4-0. 6/25/02

RONDYS AND ASSOCIATES, INC. LEASE

Commissioner Fisher moved, Halverson seconded, to approve the lease dated June 25, 2002. Motion passed 4-0. 6/25/02

OREGON BREING COMPANY, INC. LEASE

Commissioner Halverson moved, Fisher seconded, to approve the lease with changes as currently submitted. Motion passed 4-0. 6/25/02

WINTER HAWK AND NEWELL FISHERIES LEASE

Commissioner Fisher moved, Mathews seconded, to approve the 90-day lease for the harvest room at the salmon facility. Motion passed 4-0. 6/25/02

OFFICERS 2002

Commissioner Jincks moved, Halverson seconded, to retain the same slate of officers for the coming year. Motion passed 5-0. 7/23/02

OECD PORT PLANNING & MARKETING GRANT FUND APPLICATION—RV PARK REDESIGN PLAN AND PRELIMINARY ENGINEERING, RESOLUTION 6-2002

Commissioner Jincks moved, Halverson seconded, to approve Resolution 6-2002. Motion passed 5-0. 7/23/02

OCZMA MEMBERSHIP 2002

Commissioner Jincks moved, Halverson seconded, to renew the Port's membership in OCZMA. Motion passed 5-0. 7/23/02

CARVALHO FISHERIES LEASE

Commissioner Halverson moved, Fisher seconded, to extend the lease between the Port and Carvalho Fisheries for two years beginning September 1, 2002. Motion passed 4-0. 8/27/02

AQUA SEED CONTINGENCY AGREEMENT

Commissioner Fisher moved, Mathews seconded, to extend the Contingency Agreement between the Port and Domsea Newport LLC (formerly Aqua Seed Corporation) for sixty days beginning September 1, 2002. Motion passed 4-0.

8/27/02

#### TERMINAL BARGE DOCK

Commissioner Fisher moved, Mathews seconded, to authorize the General Manager to move forward with the financial arrangements, piling evaluation, and repairs to the lower dock, to best serve the needs of the Port and get the best return on the Port's investment. Motion passed 4-0.  
9/24/02

#### REAFFIRMING PORT OF NEWPORT CONTRACT REVIEW BOARD/RES. 7-2002

Commissioner Fisher moved, Jincks seconded, to adopt Resolution 7-2002, designating the Board of Commissioners of the Port of Newport as the Local Contract Review board. Motion passed 5-0.  
11/26/02

#### CASCADES WEST AREA COMMISSION ON TRANSPORTATION/PORT NOMINATIONS

Commissioner Jincks nominated Commissioner Rob Halverson as the primary representative to CWACT, with himself, Commissioner Fisher, or a designated staff person as alternates on an as-needed basis. Commissioner Fisher seconded. Motion passed 4-0.  
12/17/02

#### RV PARK REDESIGN PLAN & PRELIMINARY ENGINEERING—OECDD PORT PLANNING & MARKETING FUND GRANT

Commissioner Halverson moved, Fisher seconded, to sign the agreement received from the OECDD, accepting the \$6,000 grant awarded from the Port Planning & Marketing Fund for the RV Park Redesign Plan & Preliminary Engineering. Motion passed 4-0.  
12/17/02

#### TAKU CHERRIES LEASE NEGOTIATIONS

Commissioner Jincks moved, Halverson seconded, directing the General Manager to proceed with lease negotiations.  
12/17/02

#### YAQUINA BAY FRUIT PROCESSORS (YBFP) LEASE

Commissioner Jincks moved, Mathews seconded, that the Commission accept the lease with YBFP including the conditions on the memo of February 20, 2003. Motion passed 4-1.  
02/20/03

#### CHALLENGE TO PERS EMPLOYER CONTRIBUTION RATE ORDER, RES. 1-2003

Commissioner Fisher moved, Mathews seconded, to accept Resolution 1-2003, authorizing the SDAO to file an appeal on the Port of Newport's behalf. Motion passed 5-0.  
02/20/03

#### CDL SCHOOL OF HARD KNOCKS



Commissioner Fisher moved, Halverson seconded, to accept the lease with the CDL School of Hard Knocks, based on changes and conditions in the lease language. Motion passed 4-0. 02/20/03

#### GENERAL MANAGER'S MERIT RAISE

Commissioner Halverson moved, Fisher seconded, to grant General Manager Don Mann a merit raise of 2-percent for the year 2003, retroactive to January 1. Motion passed 4-0. 02/20/03

#### STATEWIDE ENVIRONMENTAL SERVICES ADDENDUM TO PROPOSAL

Commissioner Jincks moved, Mathews seconded, to approve the additional \$2,400 for the Sampling Analysis Plan. Motion passed 3-0. 03/25/03

#### YAQUINA BAY FRUIT PROCESSORS LEASE

Commissioner Jincks moved, Mathews seconded, to attach two additional conditions: Exhibit B, the Base Rate Amortization Schedule; and Exhibit D, the Loan Security Agreement, as contingencies for ratification. Motion passed 3-0.

03/25/03

#### SOUTH BEACH TRANSIENT TIE-UP FACILITY—ELECTRICAL CONTRACT

Commissioner Jincks moved, Fisher seconded, to accept the bid of \$22,000 and award the electrical contract for the South Beach transient tie-up facility to LH Morris. Motion passed 4-0. 04/29.03

#### BAYFRONT PARKING LEASES

Commissioner Fisher moved, Jincks seconded, to approve the bayfront parking leases between the Port and Corrine Murry and Larry Plum. Motion passed 4-0.

04/29/03

#### FLEX-LEASE LOAN, RESOLUTION 2-2003

Commissioner Fisher moved, Mathews seconded, to accept Resolution 2-2003, based on counsel's review for legal sufficiency, and contingent on approval and finalization of all documentation. Motion passed 4-0. 05/29/03

#### RESOLUTION 3-2003 ADOPTING SUPPLEMENTAL RY 02-03 BUDGET

Commissioner Fisher moved, Jincks seconded, to to accept Resolution 3-2003 adopting the supplemental budget for FY 2002-2003. Motion passed 4-0. 06/24/03

#### FORKLIFT FOR TERMINAL

Commissioner Fisher moved, Jincks seconded, to authorize the General Manager to purchase a new 8,000 pound forklift for use at the terminal. Motion passed 4-0.

06/24/03

**DESTINATION RV RESORT MASTER PLAN & FEASIBILITY STUDY**

Commissioner Fishered moved, Jincks seconded, to delegate the General Manager to enter into and sign an agreement between the Port and Crow/Clay & Associates.

Motion passed 4-0.

06/24/03

**AIRBOAT MOORAGE AND PASSENDER BOARDING AT PORT DOCKS**

Commissioner Jincks moved, Halverson seconded, to follow the General Manager's recommendation and deny the request for moorage at the Port's facilities for Hut Harbor Airboat Rides.

Motion passed 4-0.

06/24/03

**OFFICIAL ABSTRACT OF VOTES FOR MAY 20, 2003 SPECIAL DISTRICT ELECTION**

Commissioner Halverson moved, Fisher seconded, to accept the Official Abstract of Votes from the May 20, 2003, election.

Motion passed 4-0.

06/24/03

**PROPERTY VACATION REQUEST BY JIM & CLEO VICKERS**

Commissioner Fisher moved, Halverson seconded, to approve the property vacation requested by Jim and Cleo Vickers.

Motion passed 4-0.

06/24/03

**RESOLUTION 4-2003 ADOPTING FY 03-04 BUDGET**

Commissioner moved, Halverson seconded, to accept Resolution 4-2003, adopting the budget for Fiscal Year 2003-2004, making appropriations and levying taxes.

Motion passed 4-0.

06/24/03

**ELECTION OF OFFICERS--2003**

Commissioner Mathews nominated Commissioner Jincks as President.

Commissioner Jacobson seconded. Motion passed 3-0.

Commissioner Jincks moved, Jacobson seconded, that Commissioner Mathews remain as Vice-President. Motion passed 3-0.

Commissioner Jincks moved, Mathews seconded, that Commissioner Jacobson be elected as Secretary, Commissioner Halverson remain as Treasurer, and Commissioner Fisher remain as Assistant Secretary-Treasurer. Motion passed 3-0.

07/22/03

**SURPLUS PROPERTY—1988 HYSTER 6,000# FORKLIFT**

Commissioner Jacobson moved, Mathews seconded, to declare the forklift surplus.

Motion passed 3-0.

07/22/03

**LEASE RENEWAL—FOULWEATHER TRAWL LLC**

Commissioner Jacobson moved, Fisher seconded, to approve the lease renewal

between the Port and Foulweather Trawl LLC. Motion passed 3-0.

08/26/03

#### MLA SUGGESTED WORDING

Commissioner Jacobson moved, Fisher seconded, to accept the change in the wording of the Port's MLA as recommended by bond consultant's legal counsel to satisfy requirements for tax exempt financing. Motion passed 3-0. 09/30/03

#### OCZMA APPOINTMENTS 2003

Commissioner Jacobson moved, Fisher seconded, to nominate Don Mann as designated representative to OCZMA. Commissioner Fisher will serve with Mann as alternate, if an elected official is required. Motion passed 3-0. 09/30/03

#### CONTRACT REVIEW BOARD

Commissioner Fisher moved, Halverson seconded, that the Contract Review Board adopt the findings of facts as presented by staff as it relates to the replacement of exterior siding on the Rogue Brewery and Warehouse, qualifying it for exemption from the public contract bid process. Motion passed 4-0. 09/30/03

#### THOMPSON TIMBER CO LEASE RENEWAL

Commissioner Halverson moved, Fisher seconded, to approve the renewal of the lease between the Port and Thompson Timber under the new terms. Motion passed 4-0. 09/30/03

#### SERVEN MARINE LEASE AMENDMENT

Commissioner Fisher moved, Halverson seconded, to approve the amendment of the lease between Serven Marine and the Port, effective January 1, 2004. Motion passed 4-0. 09/30/03

#### SERVEN MARINE LEASE AMENDMENT

Commissioner Fisher moved, Halverson seconded, to ratify the change in the amendment to the lease agreement, dated September 30, 2003, between Serven Marine and the Port. Motion passed 3-0. 10/28/03

#### DEQ DRAFT FINAL DECREE REGARDING HOY'S MARINE CLEANUP

Commissioner Fisher moved, Halverson seconded, that the Board accept the Stipulation and Consent Decree from DEQ with the three suggested changes, or, based on legal counsel's recommendation, without them if necessary. Motion passed 3-0. 10/28/03

#### NEWPORT INTERNATIONAL TERMINAL ENGINEERING CONTRACT—RORO DOCK CONNECTION

Commissioner Fisher moved, Halverson seconded, that the General Manager be given authority to enter into a contract between the Port and Berger/Abam for the engineering work on the pier connection to the Ro-Ro dock. Motion passed 3-0. 10/28/03

11-05-03 Maureen and Patty discussed and determined printout unnecessary as long as file is kept current and saved to network.

#### PORT DOCK 5-C—PURCHASE OF MATERIALS

Commissioner Fisher moved, Jacobson seconded, to approve the purchase of the materials for the work on Port Dock 5-C. Motion passed 5-0. 11/25/03

#### POTENTIAL PROPERTY DEVELOPMENT

Commissioner Mathews moved, Jacobson seconded, to direct the General Manager to work with the City of Newport and the Urban Renewal Agency towards the potential development of property at South Beach. Motion passed 5-0. 11/25/03

#### SOUTH BEACH OPERATIONS BUILDING

Commissioner Jacobson moved, Mathews seconded, that the South Beach operations shop be relocated in the vacant half of the Serven Marine building, as recommended. Motion passed 5-0. 01/27/04

#### J LAMB MARINE ELECTRIC LEASE AMENDMENT

Commissioner Halverson moved, Jacobson seconded, to amend the lease between the Port and J. Lamb Marine Electric as proposed. Motion passed 5-0. 01/27/04

#### LINCOLN COUNTY ENTERPRISE ZONE

Commissioner Jacobson moved, Mathews seconded, that the Port would support amending the Lincoln Co. Enterprise Zone to include property owned by the Port at South Beach that is zoned W-2, while reserving the latitude to add other parcels of Port-owned property to the Enterprise Zone as approved by the Port Commission in the future. Motion passed 4-0 with Chairman Jincks abstaining. 02/17/04

#### PORT DOCK MARINA FUEL DOCK LEASE RENEWAL

Commissioner Halverson moved, Jacobson seconded, to ratify the five-year extension of the Weber's lease for the Port Dock Marina fuel dock. Motion passed 5-0. 02/17/04

#### LINCOLN COUNTY ENTERPRISE ZONE

Commissioner Mathews moved, Jacobson seconded, to ratify the inclusion of the two tax lots submitted by the Port in the Enterprise Zone. Motion passed 3-0 with the Chairman abstaining. 03/23/04

#### STREET VACATION PORTION OF S.E. EADS, SOUTH OF THE SOUTH LINE OF S.E. SECOND AND NORTH OF THE NORTH LINE OF S.E. THIRD

Commissioner Halverson moved, Mathews seconded, to consent to the requested street vacation. Motion passed 4-0. 03/23/04

#### 1985 DODGE PICKUP SURPLUS

Commissioner Halverson moved, Mathews seconded, to declare the 1985 Dodge pickup, serial #1B7KD34W3FS568124 to be surplus to the Port's needs. Motion passed 3-0. 03/23/04

#### RIGHT OF FIRST REFUSAL HOY SUBLEASE

Commissioner Halverson moved, Mathews seconded, that the Port exercise its right of first refusal as provided in the Hoy Sublease on Tax Lot #3600 as it relates to the Christiansen/Steele property. Motion passed 3-0. 03/23/04

#### GENERAL MANAGER'S MERIT INCREASE

Commissioner Mathews moved, Halverson seconded, to grant Don Mann a merit increase of 3% for the year 2004 and increase his car allowance to \$300 per month, both retroactive to January 1, 2004. Motion passed 3-0. 03/23/04

#### CHRISTIANSEN/STEELE PROPERTY TRANSACTION

Commissioner Fisher moved, Halverson seconded, that the General Manager, on advice of legal counsel, contact the Christiansen Estate and reject their offer with the quit claim deed on the property in question, and advise them that the Port will need a warranty deed. Motion passed 3-0. 04/27/04

#### RESOLUTION 1-2004 ADOPTING SUPPLEMENTAL BUDGET FY 03-04 AND INCREASING APPROPRIATIONS

Commissioner Fisher moved, Mathews seconded, to approve Resolution 1-2004. Motion passed 4-0. 05/25/04

#### ADDENDUM NO. 2 INTERGOVERNMENTAL COOPERATION AGREEMENT

Commissioner Fisher moved, Goblirsch seconded, to accept the Addendum No. 2 to the Intergovernment Cooperation Agreement, contingent on its approval by the Development Commission. Motion passed 4-0. 05/25/04

#### BUDGET FY 04-05/RESOLUTION 2-2004

Commissioner Mathews moved, Goblirsch seconded, to accept Resolution 2-2004, adopting the budget for FY 2004-2005, making appropriations and levying taxes. Motion passed 5-0. 06/22/04

#### YAQUINA BAY YACHT CLUB LEASE/LETTER OF AGREEMENT

Commissioner Fisher moved, Goblirsch seconded, to formally approve the Letter of Agreement and lease between the Port of Newport and the Yaquina Bay Yacht Club. (Lease and LOA had been approved by consensus prior to public meeting.) Motion passed 5-0. 06/22/04

#### OREGON PUBLIC PORTS ASSOCIATION

Commissioner Goblirsch moved, Halverson seconded, to vote in favor of the dissolution of the OPPA. Motion passed 5-0. 06/22/04

#### OREGON BREWING RIGHT OF FIRST REFUSAL

Commissioner Goblirsch moved, Fisher seconded, to approve the Right of First Refusal for OBC on half of the Serven Marine building, should it become available. Motion passed 5-0. 06/22/04

#### OCZMA OREGON PORTS PROJECT

Commissioner Goblirsch moved, Halverson seconded, that the Port of Newport enter into the PRS project up to \$200, contingent on providing a draft copy of testimony. Motion passed 5-0. 06/22/04

#### MICROBREW FESTIVAL LICENSE AGREEMENT

Commissioner Mathews moved, Fisher seconded, that the license fee for the microbrew festival be set at \$412. Motion passed 5-0. 06/22/04

#### EMPLOYEES' GROUP LIFE/DISABILITY INSURANCE RENEWAL

Commissioner Fisher moved, Halverson seconded, to approve the increased life insurance benefit. Motion passed 5-0. 06/22/04

#### ELECTIONS OF OFFICERS

Commissioner Goblirsch nominated Commissioner Jincks to serve as President of the Port of Newport Commission for the coming year. Commissioner Mathews seconded. Motion passed 4-0.

Commissioner Mathews nominated Commissioner Fisher to serve as Vice-President of the Port of Newport Commission. Commissioner Goblirsch seconded. Motion passed 4-0. 07/27/04

#### PORT DOCK 7 RESTROOMS/SHOWER/LAUNDRY

Commissioner Fisher moved, Goblirsch seconded, to empower the General Manager and staff to contract with Romtec, Inc. for a restroom/shower/laundry facility, and to include whatever fine-tuning staff deemed necessary to accommodate the marine environment. Motion passed 3-0. 07/27/04

#### 2004 NEEDS & ISSUES LOCAL PRIORITY LIST

Commissioner Goblirsch moved, Fisher seconded, to accept the list as submitted. Motion passed 3-0. 07/27/04

#### COMMISSION MEETING TIME CHANGE

Commissioner Goblirsch moved, Fisher seconded, to change the time of the regular commission meetings to 6:30 p.m. during the months of May-September, and back to 12:00 p.m. for the months of October-April. Motion passed 3-0. 07/27/04

**AMENDED RESOLUTION 2-2004 ADOPTING BUDGET, MAKING APPROPRIATIONS AND LEVYING TAXES**

Commissioner Goblirsch moved, Fisher seconded, to approve Amended Resolution 2-2004. Motion passed 5-0. 08/24/04

**FISHERMEN'S MARKET—PORT PLANNING & MARKETING ASSISTANCE GRANT APPLICATION**

Commissioner Fisher moved, Halverson seconded, that the General Manager ask staff to help the Fishermen's Market with its grant application in any way possible, as long as it doesn't cost money from the Port's budget. Motion passed 4-0 with Commissioner Goblirsch abstaining. 08/24/04

**BERGER/ABAM CONTRACT ADDENDUM—LAUNCH RAMP PROJECT**

Commissioner Fisher moved that the Port set the not-to-exceed amount at \$6,000 as requested by Berger/Abam for the bidding and construction services proposal. Commissioner Halverson seconded, giving the General Manager permission to sign the contract. Motion passed 4-0. 09/28/04

**RESOLUTION 3-2004—OEDD GRANT FOR NEWPORT FISHERMEN'S MARKET**

Commissioner Halverson moved, Mathews seconded to adopt Resolution 3-2004 as presented. Motion passed 3-0. 10/26/04

**SEDIMENT DISPOSAL SITE—MONITORING & MAINTENANC PLAN**

Commissioner Fisher moved, Mathews seconded, to accept the Monitoring & Maintenance Plan contingent upon Manager Mann receiving approval from ODEQ that the Port can breach the gravel cap. Motion passed 5-0. 11/23/04

**RESOLUTION 4-2004—STATE OF OREGON DEFERRED COMPENSATION PLAN**

Commissioner Goblirsch moved, Fisher seconded, to approve Resolution 4-2004. Motion passed 5-0. 11/23/04

**CITY OF NEWPORT LEASE (Special Meeting)**

Commissioner Fisher moved, Mathews seconded, to accept in principle, as presented, Section 1.3.4 of the proposed lease between the Port and the City, having to do with compensation, and authorized General Manager Don Mann and Port legal counsel to continue negotiations with the City on the other points of the lease. Motion passed 3-0. 12/14/04

**CITY OF NEWPORT LEASE**

Commissioner Goblirsch moved, Mathews seconded, to accept the lease between the Port of Newport and the City of Newport for the Newport Event Center as presented. Motion passed 5-0. 12/21/04

#### SEDIMENT DISPOSAL SITE MONITORING AND MAINTENANCE PLAN

Commissioner Halverson moved to authorize the General Manager to sign the Sediment Disposal Site Monitoring and Maintenance Plan between the Port of Newport and ODEQ. Commissioner Goblirsch seconded and the motion passed 5-0.

12/21/04

#### CASCADES WEST AREA COMMISSION ON TRANSPORTATION

Commissioner Fisher nominated Commissioner Halverson as primary representative, Maureen Keeler as alternate. Commissioner Goblirsch seconded and the motion passed 5-0.

12/21/04

#### RV PARK EXPANSION

Commissioner Fisher moved, Halverson seconded, that the Port move ahead with the 94-space expansion of the RV Park at South Beach, contingent on the General Manager finding acceptable funding for the project from grants or loans. Motion passed 5-0.

01/25/05

#### OBC LEASE AMENDMENT

Commissioner Halverson moved, Fisher seconded, to approve the lease amendment between the Port and OBC, contingent on changes in the lease language, rent abatement, and square footage as specified by the General Manager. Motion passed 5-0.

01/25/05

#### RESOLUTIONS 1-2005 AND 2-2005 AUTHORIZING BANK SIGNATURES

Commissioner Halverson moved, Goblirsch seconded, to adopt Resolution 1-2005 and 2-2005 authorizing bank account signatories. Motion passed 4-0.

02/22/05

#### INTERNATIONAL TERMINAL WHARF REPAIRS

Commissioner Halverson moved, Goblirsch seconded, to authorize the General Manager and staff to purchase the materials necessary to repair 120 feet of wharf at the terminal in kind, funding the project up to \$35,000 from the Maintenance Reserve Fund. Motion passed 4-0.

02/22/05

#### RESOLUTION 3-2005—NEW PUBLIC CONTRACTING CODE

Commissioner Fisher moved, Goblirsch seconded, to approve the resolution as presented. Motion passed 4-0.

03/22/05

#### RESOLUTION 4-2005—OREGON PARKS 7 REC LOCAL GOVERNMENT GRANT

Commissioner Fisher moved, Goblirsch seconded, to approve the resolution as presented. Motion passed 4-0.

03/22/05

#### COMMISSION PRESIDENT

Commissioner Fisher nominated Commissioner Halverson to serve as interim president until the annual election in July. Commissioner Goblirsch seconded. Motion passed 4-0.

04/26/05



#### COMMISSION VACANCY

Commissioner Mathews moved, Fisher seconded, that Dean Fleck be appointed commissioner-appointee, effective May 18, to be sworn in at the regular commission meeting in May. Motion passed 4-0. 04/26/05

#### BUDGET COMMITTEE APPOINTMENTS

Commissioner Mathews moved, Goblirsch seconded to re-appoint Fred Postlewait to the Port of Newport Budget Committee. Motion passed 4-0. 04/26/05

#### RV PARK FINANCING

Commissioner Fisher moved, Goblirsch seconded, to approve the contract between the Port and Crow/Clay & Associates contingent on preliminary approval from the state for funding, and further that the General Manager be authorized to sign the contract. Motion passed 4-0. 04/26/05

#### NORTHWEST ASSOC OF NETWORKED OCEAN OBSERVING SYSTEMS (NANOOS)

Commissioner Goblirsch moved, Fisher seconded, that the Port sign the MOA dated 24 March 2005, to be finalized in mid-May. Motion passed 4-0. 04/26/05

#### FY 2005-2006 BUDGET

Commissioner Fisher moved, Budget Committee Brian Barth seconded, to accept the Port of Newport Proposed Budget for Fiscal Year 2005-2006 as presented and recommend the document to the Port of Newport Commission for adoption. Motion passed with all in favor. 05/18/05

#### RESOLUTION 5-2005

Commissioner Goblirsch moved, Fisher seconded, to adopt the supplemental budget for FY 2005-2006. Motion passed 5-0. 06/28/05

#### RESOLUTION 6-2005

Commissioner Goblirsch moved, Fisher seconded to adopt the transfer of appropriations for FY 2005-2006. Motion passed 5-0. 06/28/05

#### RESOLUTION 7-2005

Commissioner Goblirsch moved, Fisher seconded, to adopt the budget, make appropriations, and levy taxes for Fy 2005-2006. Motion passed 5-0. 06/28/05

#### RESOLUTION 8-2005

Commissioner Fisher moved, Fleck seconded, to accept Corporate Banking Resolution 8-2005 designating signature authority. Motion passed 5-0. 06/28/05

#### OFFICIAL ABSTRACTS OF VOTES

Commissioner Fisher moved, Goblirsch seconded, to accept the results for the May 17, 2005 Special District Election. Motion passed 5-0. 06/28/05

#### RESOLUTION 9-2005

Commissioner Fisher moved, Goblirsch seconded, to accept Resolution 9-2005, adopting the employee's health reimbursement plan. Motion passed 5-0. 06/28/05

#### PORT DOCK 5/BAY BLVD. PARKING LOT LEASE

Commissioner Goblirsch moved, Mathews seconded, to authorize the GM to sign the lease between the Port and the Lincoln County Historical Society for the parking area across from Port Dock 5. Motion passed 5-0. 06/28/05

#### OIL SPILL RESPONSE HOURLY RATE

Commissioner Fisher moved, Fleck seconded, to raise the hourly rate for oil spill response from \$30 to \$50. Motion passed 5-0. 06/28/05

#### TERMINAL DOCK REDEVELOPMENT, COMMUNITY SURVEY, OECDD PORT PLANNING & MARKETING FUND GRANT, RESOLUTION 11-2005

Commissioner Goblirsch moved, Fleck seconded, to adopt Resolution 11-2005 as presented. Motion passed 4-0. 07/26/05

#### SETTING OUT PROCEDURES FOR DISPOSAL OF SURPLUS PROPERTY, RESOLUTION 10-2005

Commissioner Fleck moved, Goblirsch seconded, to adopt Resolution 10-2005. Motion passed 4-0. 07/26/05

#### DECLARATION OF SURPLUS ITEMS TO BE SOLD

Commissioner Goblirsch moved, Mathews seconded, to declare Ford pickup, Dodge pickup, Caterpillar forklift, emergency generator, and second small generator surplus to Port's needs. Motion passed 4-0. 07/26/05

#### OCZMA DESIGNATED REPRESENTATIVE

Commissioner Goblirsch moved, Mathews seconded, to appoint Commissioner Dean Fleck as the Port's designated representative to OCZMA, with General Manager Don Mann as designated alternate. Motion passed 4-0. 07/26/05

#### OECDD PORT PLANNING & MARKETING FUND GRANT CONTRACT, TERMINAL REDEVELOPMENT PRIORITIES SURVEY

Commissioner Goblirsch moved, Mathews seconded, to approve the OECDD Port Planning & Marketing Fund Grant Contract. Motion passed 5-0. 08/15/05

#### MARINA RV PARK DEVELOPMENT, OECDD SPECIAL PUBLIC WORKS FUND, RESOLUTION 12-2005

Commissioner Fisher moved, Goblirsch seconded, that Resolution 12-2005 authorizing a loan in the amount of \$645,757 from the Special Public Works Fund be adopted. Motion passed 5-0. 08/15/05

#### YBFP ROOF REPAIRS

Commissioner Goblirsch moved, Fleck seconded, to authorize repairs to the roof on the building leased by Yaquina Bay Fruit Processors. Motion passed 5-0. 08/15/05

#### SERVEN MARINE/SOUTHSIDE MARINE ASSIGNMENT OF LEASE

Commissioner Fisher moved, Mathews seconded, to approve the assignment of the lease agreement from Serven Marine to Southside Marine under all the original terms and conditions. Motion passed 5-0. 08/15/05

#### PORT DOCK 7 RESTROOMS FUNDING RESOLUTION

Commissioner Fisher moved, Mathews seconded, to approve the funding resolution to borrow \$150,000 from Oregon Coast Bank to build a restroom/shower facility at Port Dock 7. Motion passed 5-0. 08/15/05

#### MARINA RV PARK DEVELOPMENT, SPWF LOAN, RESOLUTION 13-2005

Commissioner Fisher moved, Goblirsch seconded, to adopt Resolution 13-2005, authorizing a loan from the Special Public Works Fund by entering into a loan contract with the Oregon Economic and Community Development Department. Motion passed 5-0. 09/27/05

#### REINO RANDALL SHIPWRIGHT LEASE

Commissioner Fleck moved, Mathews seconded, to approve the lease dated October 1, 2005 between the Port and Reino Randall. Motion passed 5-0. 09/27/05

#### CONTRACT REVIEW BOARD QUADE CONSTRUCTION

Following Port Counsel's summary, Commissioner Fisher moved, Fleck seconded, that Quade Construction's failure to circle the addenda items be deemed a minor informality, that the protest from Ausland Builders be denied, and that the lowest apparent bid be accepted. Protest was denied and abid awarded to Quade Construction based upon minor infractions. Motion passed 5-0. 09/27/05

#### DOUG MORRISON GEAR STORAGE BUILDING LEASE REQUEST

Commissioner Mathews moved, Fleck seconded, to authorize the General Manager to continue discussions with Doug Morrison on leasing property for a gear storage building. Motion passed 5-0. 09/27/05

#### CRANE REPAIRS

Commissioner Fleck moved, Goblirsch seconded, to approve an expenditure up to \$25,000 from the Port's Maintenance Reserve Fund for repairs to the crane. Motion passed 3-0. 10/25/05

SDIS PROPERTY & LIABILITY COVERABLE LONGECITY CREDIT  
Commissioner Goblirsch moved, Fleck seconded, to accept the SDIS Property &  
Liability Coverage Credit. Motion passed 3-0. 10/25/05

TERMINAL REDEVELOPMENT, CAPITAL CONSTRUCTION BOND  
COMMUNICATION PLAN  
Commissioner Mathews moved, Fleck seconded, to postpone action on this agenda  
item to a subsequent meeting in the near future. Motion passed 4-1 with  
Commissioner Fisher opposed. 11/22/05

REINO RANDALL LEASE AMENDMENT  
Commissioner Fisher moved, Goblirsch seconded, to approve the lease amendment  
between the Port and Reino Randall. Motion passed 5-0. 11/22/05

OECD PORT PLANNING AND MARKETING GRANT, MCLEAN POINT PHASE 1  
ENVIRONMENTAL ASSESSMENT, RESOLUTION 14-2005  
Commissioner Goblirsch moved, Fisher seconded, to approve Resolution 14-2005.  
Motion passed 5-0. 11/22/05

OECD PORT PLANNING AND MARKETING GRANT, PUBLIC COMMUNICATIONS  
PLANNING FOR CAPITAL CONSTRUCTION BOND AND BAY BRIDGE WEST,  
RESOLUTION 15-2005.  
Commissioner Fisher moved, Mathews seconded, to approve Resolution 15-2005.  
Motion passed 5-0. 11/22/05

PORT OF NEWPORT COMMUNICATIONS PLANNING—VOGEL  
COMMUNICATIONS/SPWF LOAN CONTRACT AMENDMENT, SOUTH BEACH RV  
PARK PROJECT/LETTER OF CREDIT-GAP FINANCING, SOUTH BEACH RV PARK  
PROJECT  
Commissioner Goblirsch moved, Fleck seconded, to approve the two contracts  
between the Port of Newport and Vogel Communications, the Special Public Works  
Fund Loan Contract Amendment for the South Beach RV Park Project, and the Letter  
of Credit/Gap Financing on the South Beach RV Park Project. Motion passed 3-0.  
12/20/05

BAY BRIDGE ENTERPRISES  
Commissioner Goblirsch moved, Fleck seconded, that the Port of Newport Board of  
Commissioners removed Newport and Yaquina Bay from the list for consideration by  
Bay Bridge Enterprises. Motion passed 5-0. 01/24/06

CONNECT OREGON APPLICATION  
Commissioner Goblirsch moved, Fisher seconded, to submit the application for the  
*Connect Oregon* Program with a soft match, with the potential of adding to it if the  
funds become available. Motion passed 5-0. 01/24/06

LINCOLN COUNTY COMMUNITY ECONOMIC DEVELOPMENT FUND APPLICATION  
Commissioner Goblirsch moved, Mathews seconded, that the Lincoln County  
Community Economic Development Fund Application be submitted. Motion passed  
5-0. 01/24/06

#### PROPOSED RV PARK RATES

Commissioner Fisher moved, Goblirsch seconded, to accept the proposed rate  
structure for the RV park at South Beach as presented. Motion passed 5-0.  
02/22/06

#### GENERAL MANAGER'S PAY INCREASE

Commissioner Fisher moved, Goblirsch seconded, to grant General Manager Don  
Mann a 2% merit pay increase effective January 1, 2006, and to honor his contractual  
3% Cost of Living raise effective July 1, 2006. Motion passed 5-0. 02/22/06

#### LINCOLN COUNTY HISTORICAL SOCIETY, COMMERCIAL LEASE FOR FISHERMEN'S PARKING LOT

Commissioner Goblirsch moved, Mathews seconded, to renew the lease for the parking  
lot on Bay Boulevard. Motion passed 5-0. 03/28/06

#### OREGON BREWING COMPANY—NORTH HALF OF SERVEN BUILDING/OLD MARINA STORE AND OFFICE BUILDING

Commissioner moved, Fleck seconded, to allow the General Manager to proceed with  
both leases with approval contingent on review by legal counsel. Motion passed 5-0.  
03/28/06

#### SUPPORT FOR E-COMMERCE, ECONOMIC DEVELOPMENT ALLIANCE

Commissioner Goblirsch moved, Fleck seconded, that the Port of Newport add its  
support to the Lincoln County Enterprise Zone's application for an Oregon E-Commerce  
Zone. Motion passed 4-0. 04/25/06

#### NEWPORT BELLE BED & BREAKFAST ASSIGNMENT OF LEASE

Commissioner Goblirsch moved, Mathews seconded, to approve the assignment of  
lease for the Newport Belle B&B from Sharon Porter to Michael Wilkinson and Nancy  
Sims. Motion passed 4-0. 04/25/06

#### A.M. HATTON OPERATION AGREEMENT

Commissioner Mathews moved, Goblirsch seconded, to approve the change of  
operators for the South Beach Marina fuel station as requested by A.m. Hatton. Motion  
passed 4-0. 04/25/06

#### PROPOSED STREET VACATION S.W. ALDER, DOYLE

Commissioner Goblirsch moved, Mathews seconded, to approve the street vacation as  
requested by Ed and Roguey Doyle. Motion passed 4-0. 04/25/06

#### BUDGET COMMITTEE MEETING

Ron Benfield moved, Alan Brown seconded, to accept the proposed budget for F/Y 2006-2007 as presented, and recommended the document to the Port Commission for adoption with the proviso that the increase in moorages, fees, and the RV Park rates be further reviewed based on discussion during the Budget Committee Meeting. Motion passed with all in favor. 05/03/06

#### SURPLUS EQUIPMENT/MOTOR

Commissioner Goblirsch moved, Fisher seconded, that the 100-horse power Evinrude motor be declared surplus to the Port's needs. Motion passed 3-0. 05/23/06

#### OREGON BIRDING TRAILS

Commissioner Fisher moved, Goblirsch seconded, that the Port approve including the Public Fishing Pier site at South Beach in the USF&W birding guide, but no others. Motion passed 3-0. 05/23/06

#### EVENT CENTER LEASE

Commissioner Goblirsch moved, Fisher seconded, that the General Manager consult with legal counsel on investigating the status of the Port's Event Center lease with the City, and the Port's options to withdraw or rescind the agreement. Motion passed 3-0. 05/23/06

#### RESOLUTION 1-2006 ADOPTING SUPPLEMENTAL BUDGET AND INCREASING APPROPRIATIONS

Commissioner Fleck moved, Fisher seconded, to adopt Resolution 1-2006. Motion passed 5-0. 06/27/06

#### RESOLUTION 2-2006 ADOPTING BUDGET, MAKING APPROPRIATIONS, AND LEVYING TAXES.

Commissioner Fisher moved, Goblirsch seconded, to adopt Resolution 2-2006. Motion passed 5-0. 06/27/06

#### RONDYS AMENDMENT TO LEASE AGREEMENT

Commissioner Fisher moved, Mathews seconded, to approve the Amendment to the lease. Motion passed 5-0. 06/27/06

#### OSU BASEBALL MONTH

Commissioner Fisher moved, Fleck seconded, to declare the month of June 2006 as Oregon State University Baseball Month. Motion passed 5-0. 06/27/06

#### EVENT CENTER LEASE

Commissioner Goblirsch moved, Fisher seconded, that the Port's legal counsel be directed to seek a final resolution of the matter of the Event Center lease. Motion passed 5-0. 06/27/06

#### CAPITAL CONSTRUCTION BOND MEASURE

Commissioner Goblirsch moved, Fleck seconded, to approve the statement of intent to place a capital construction project bond on the November 2006 election ballot. Motion passed 5-0. 06/27/06

#### RONDYS & ASSOCIATES—RELEASE FROM LEASE AND RELEASE OF EASEMENT

Commissioner Fisher moved, Fleck seconded, to approve both the release from lease and release of easement. Motion passed 3-0. 07/25/06

#### OECD PORT PLANNING & MARKETING GRANT APPLICATION, CRUISE SHIP STUDY—RESOLUTION 3-2006

Commissioner Fisher moved, Fleck seconded, to accept Resolution 3-2006. Motion passed 4-0. 08/22/06

#### OECD PORT PLANNING & MARKETING GRANT APPLICATION, PHASE II ENVIRONMENTAL SITE ASSESSMENT OF TERMINAL SHIP DOCK—RESOLUTION 4-2006

Commissioner Goblirsch moved, Fleck seconded, to accept Resolution 4-2006. Motion passed 4-0. 08/22/06

#### TERMINAL BOND MEASURE—RESOLUTION 5-2006

Commissioner Fisher moved, Goblirsch seconded, to accept Resolution 5-2006, putting a bond measure on the ballot by September 7, 2006, in an amount not to exceed \$15,425,000, and the bonds would be set over a period of not more than thirty years. Motion passed 4-0. 08/31/06

#### BERGER/ABAM GRAPHIC DESIGN CONTRACT

Commissioner Goblirsch moved, Fisher seconded, to accept the proposal by Berger/Abam to provide graphic design services, not to exceed \$3,000 and contingent on one more meeting between the Port and the Berger/Abam engineers. Motion passed 4-0. 08/31/06

#### BAY AND BEACH SHUTTLE DONATION

Commissioner Goblirsch moved, Fleck seconded, that the Port donate \$500 towards the Bay and Beach Shuttle service. Motion passed 4-0. 08/31/06

#### STREET VACATION—PORTION OF S.W. BAY STREET

Commissioner Fisher moved, Goblirsch seconded, to approve the street vacation as proposed. Motion passed 4-0. 09/26/06

#### PASLEY STABILIZATION

Commissioner Goblirsch moved, Fleck seconded, to instruct General Manager Mann to contact the Port's engineers and others to address preliminary stabilization issues relating to the Pasley ship hull. Motion passed 4-0. 10/24/06

#### AMENDMENT 2 EXTENDING OECDD COMPLETION DATE

Commissioner Goblirsch moved, Fisher seconded, to approve Amendment No. 2 extending the completion date for SPWF Projects Nos. J05005 and X06001 for the Marina RV Park Development. Motion passed 4-0. 10/24/07

#### JOEL GALLOB DAY

Commissioner Fisher moved, Goblirsch seconded, to dedicate October 24, 2006 as "Joel Gallob Day" in the auspices of the PON. Motion passed 4-0. 10/24/06

#### AUDIT FISCAL YEAR ENDING JUNE 30, 2006

Commissioner Goblirsch moved, Mathews seconded, to accept and approve the audit report for the fiscal year ending June 30, 2006, as presented. Motion passed 5-0. 11/28/06

#### CONNECTOREGON GRANT AGREEMENT

Commissioner Fisher moved, Goblirsch seconded, to approve and accept the Grant Agreement No. 23498 as written, between the Port of Newport and the Oregon Department of Transportation for accepting funds from the Multi-Modal Transportation Fund Program to commence work on the Port of Newport International Terminal Access Improvement Project, and direct the Port Manager to execute the work of this agreement and make expenditures according to said agreement. Motion passed 5-0. 11/28/06

#### SEAGULL CHARTERS ASSIGNMENT OF LEASE

Commissioner Goblirsch moved, Mathews seconded, that the General Manager be directed to sign the Assignment of Lease dated November 28, 2006, for Sea Gull Charters, Inc., from Greig and Julia Todd to Michael Stowe, contingent on review and approval of final financial information from Mr. Stowe. Motion passed 5-0. 11/28/06

#### LINCOLN COUNTY WAVE ENERGY POWER PROJECT APPLICATION

Commissioner Goblirsch moved, Fleck seconded, to submit a letter of support for the Lincoln County Wave Energy Power Project Application. Motion passed 5-0. 11/28/06

#### BERGERSON CONSTRUCTION, INC. LAY DOWN AREA LEASE

Commissioner Fleck moved, Goblirsch seconded, to approve the License Agreement dated December 1, 2006, between the Port of Newport and Bergerson Construction, Inc. Motion passed 5-0. 11/28/06



PORT OF NEWPORT DETERMINATION OF RESULTS OF NOVEMBER 7 BOND MEASURE ELECTION

Commissioner Fleck moved, Fisher seconded, to accept the official Abstract of Votes of the November 7, 2006 Bond Measure Election. Motion passed 3-0. 12/19/06

RESOLUTION 6-2006, A RESOLUTION OF PORT OF NEWPORT, LINCOLN COUNTY, OREGON, AUTHORIZING THE ISSUANCE, NEGOTIATED SALE AND DELIVERY OF GENERAL OBLIGATION BONDS; DESIGNATING AN AUTHORIZED REPRESENTATIVE, BOND COUNSEL AND UNDERWRITER; DELEGATING THE APPROVAL AND DISTRIBUTION OF THE PRELIMINARY AND FINAL OFFICIAL STATEMENTS; AUTHORIZING EXECUTION OF A BOND PURCHASE AGREEMENT; AND RELATED MATTERS

Commissioner Fisher moved, Fleck seconded, to adopt Resolution 6-2006 as presented. Motion passed 3-0. 12/19/06

Commissioner moved, Fleck seconded, to authorize David Ulbricht, of Wedbush, Morgan Securities, to process the first issue of \$5-million during the first quarter of calendar year 2007. Motion passed 3-0. 12/16/06

PORT NOMINATIONS TO THE CASCADES WEST AREA COMMISSION ON TRANSPORTATION

Commissioner Fisher moved, Fleck seconded, that Commissioner Rob Halverson continue as the delegate to the Cascades West Commission on Transportation for a two-year term, with Maureen Keeler as alternate. Motion passed 3-0. 12/19/06

LESLIE LEE LEASE RENEWAL

Commissioner Fleck moved, Fisher seconded, to renew the lease between F/V Leslie Lee and the Port of Newport. Motion passed 3-0. 12/19/06

NEWPORT FISHERIES CENTER, PORT PLANNING & MARKETING GRANT APPLICATION—RESOLUTION 01-2007

Commissioner Fisher MOVED, Fleck seconded to adopt Resolution 01-2007 as presented. Motion passed 5-0. 01/23/07

RESOLUTION ADOPTING TRANSIENT RECREATIONAL MOORAGE RATES—RESOLUTION 02-2007

Commissioner Goblirsch moved, Mathews seconded, to approve Resolution 02-2007 as presented. Motion passed 5-0. 01/23/07

GENERAL MANAGER'S EVALUATION

Commissioner Fleck moved, Fisher seconded, to accept the recommendation of the Evaluation Committee, approving a merit increase raising the Port Manager's salary to \$100,000 per year. Motion passed 5-0. 01/23/07

AUTHORIZED SIGNERS ON OREGON STATE TREASURY LOCAL GOVERNMENT  
POOL DEPOSITORY, RESOLUTION 3-2007

Commissioner Goblirsch moved, Mathews seconded, to approve Resolution 3-2007.  
Motion passed 5-0. 02/27/07

LINCOLN COUNTY HISTORICAL SOCIETY AMENDMENT TO PARKING LOT LEASE  
AGREEMENT

Commissioner Goblirsch moved, Fleck seconded, to approve the lease amendment as  
presented. Motion passed 5-0. 02/27/07

RESOLUTION ESTABLISHING CAPITAL CONSTRUCTION FUND—RESOLUTION 4-  
2007

Commissioner Goblirsch moved, Fleck seconded to approve Resolution 4-2007.  
Motion passed 5-0. 03/27/07

RESOLUTION ESTABLISHING SHORT-TERM INVESTMENT POLICY—  
RESOLUTION 5-2007

Commissioner Goblirsch moved, Mathews seconded, to adopt Resolution 5-2007.  
Motion passed 5-0. 03/27/07

KPFF CONSULTING ENGINEERS

Commissioner Goblirsch moved, Fleck seconded to approve the Use & Design  
Committee's recommendation that the Port move forward with negotiations with KPFF  
Consulting Engineers and finalize an agreement to move ahead with the terminal  
rebuild project. Commissioner Fisher amended the motion to say that the commission  
*adopt* the committee's recommendation. Motion passed 5-0. 04/24/07

PROPOSED BUDGET F/Y 2007-2008

Commissioner Fisher moved, Ron Benfield seconded, to accept the Port of Newport  
Proposed Budget for F/Y 2007-2008 as presented and recommended the document to  
the Port of Newport Board of Commissioners for adoption. Motion passed with all in  
favor. 05/02/07

RESOLUTION 6-2007 ADOPTING BUDGET, MAKING APPROPRIATIONS, AND  
LEVYING TAXES

Commissioner Mathews moved, Goblirsch seconded, to adopt Resolution 6-2007  
Adopting Budget, Making Appropriations, and Levying Taxes for Fiscal Year 2007-  
2008. Motion passed 4-0. 05/22/07

KPFF CONSULTING ENGINEERS CONTRACT

Commissioner Goblirsch moved, Mathews seconded, to approve personal services  
contracts with KPFF Consulting Engineers (\$120,000), GRI Geotechnical  
Environmental Consultants (\$9,500), 3DIWest (\$5,850), and Dennison Surveying  
(\$9,000). Motion passed 4-0. 05/22/07

RESOLUTION 7-2007 ENACTING NEW RULES FOR PUBLIC PROCUREMENT  
Commissioner Goblirsch moved, Mathews seconded, to approve Resolution 7-2007  
Enacting New Rules for Public Procurement. Motion passed 4-0. 05/22/07

#### TREVILLIAN CONTRACT

Commissioner Goblirsch moved, Mathews seconded, to approve the contract between  
the Port of Newport and Trevillian Contracting in Seal Rock. Motion passed 4-0.  
05/22/07

#### RESOLUTION 8-2007 SUPPLEMENTAL BUDGET

Commissioner Fisher moved, Goblirsch seconded, to accept Resolution 8-2007  
adopting the supplemental budget and increasing appropriations. Motion passed 5-0.  
06/26/07

#### KPFF ENGINEERING CONSULTANTS CONTRACT

Commissioner Fisher moved, Mathews seconded, to authorize General Manager Don  
Mann to proceed with a \$601,000 contract between the Port of Newport and KPFF  
Consulting Engineers, contingent upon information on the components of the contract  
to be provided to the commissioners for their approval. Motion passed 5-0. 06/26/07

#### RESOLUTION 9-2007 EXTENDING WORKERS' COMPENSATION TO VOLUNTEERS

Commissioner Goblirsch moved, Fleck seconded, to approve Resolution 9-2007  
extending workers' compensation coverage to volunteers of the Port of Newport.  
Motion passed 5-0. 06/26/07

#### A.M. HATTON ASSIGNMENT OF LEASE

Commissioner Goblirsch moved, Fleck seconded, to approve the assignment of lease  
from A.M. Hatton to Carson Oil Co., Inc. Motion passed 5-0. 06/26/07

#### MAY 15, 2007 ELECTION OFFICIAL ABSTRACTS OF VOTES

Commissioner Fleck moved, Goblirsch seconded, to accept the Official Abstracts of  
Votes of the May 15, 2007 election. Motion passed 5-0. 06/26/07

#### ELECTIONS OF OFFICERS 2007

Commissioner Goblirsch moved, Fleck seconded, that Rob Halverson continue as  
president. Commissioner Fleck nominated, Mathews seconded, Ginny Goblirsch as  
Vice-President. Commissioner Goblirsch nominated, Mathews seconded, Dean Fleck  
as Secretary. Commissioner Barton nominated, Fleck seconded, Don Mathews as  
Treasurer. Commissioner Goblirsch nominated, Fleck seconded, JoAnn Barton as  
Assistant Secretary-Treasurer. All motions passed 5-0. 07/24/07

#### EXEMPTING MARINE TERMINAL PROJECT FROM FORMAL BID PROCESS

As local Contract Review Board, Commissioner Goblirsch moved, Barton seconded, to  
accept Findings of Fact in support of exempting the Marine Terminal Reconstruction

Project from the traditional formal competitive bidding process as provided within ORS 279C.335(2). Motion passed 5-0. 07/24/07

Commissioner Goblirsch moved, Fleck seconded, that staff be instructed to use the Request for Proposal method of solicitation as provided in ORS 279C.400-ORS 279C.410, and that this method be used as the alternative to traditional formal competitive bidding to allow for the use of the Construction Manager/General Contractor (CM/GC) process for this project. Motion passed 5-0. 07/24/07

#### WEST COAST BANK CORPORATE BANKING RESOLUTION 10-2007

Commissioner Barton moved, Goblirsch seconded, to approve Resolution 10-2007 authorizing signatories on deposit accounts. Motion passed 5-0. 07/24/07

#### CRUISE SHIP STUDY PHASE III

Commissioner Goblirsch moved, Fleck seconded, to authorize Bill Cook & Associates to move forward with Phase III of the Cruise Ship Study. Motion passed 5-0. 07/24/07

#### PORT REPRESENTATIVE AND ALTERNATE APPOINTMENTS OCZMA

Commissioner Fleck nominated, Mathews seconded, Ginny Goblirsch to serve as the designated representative to OCZMA with Don Mann as designated alternate. Motion passed 5-0. 07/24/07

#### MARINE RESERVES RESOLUTION NO. 11-2007

Chairman Halverson recommended a motion to adopt Resolution 11-2007 as presented, with the suggested changes by General Manager Don Mann, and that the resolution be submitted in conjunction with a cover letter that addresses the recommended points. Commissioner Barton asked if the cover letter would be available for Commissioners' review prior to being sent. Commissioner Goblirsch said the Commissioners would be copied and would be asked to comment, with the goal of getting the resolution and cover letter to the Marine Reserve Working Group and OPAC before their September 24, 2007 meeting. After the motion was read back aloud, Commissioner Barton so moved, Commissioner Goblirsch seconded, and the motion passed 4-0. 08/28/07

#### YAQUINA BAY YACHT CLUB LEASE AMENDMENT

Commissioner Goblirsch moved to approve the amended to the lease, dated August 28, 2007, between the Port of Newport and Yaquina Bay Yacht Club. Commissioner Barton seconded the motion and it passed 4-0. 08/28/07

#### CONSTRUCTION MANAGER/GENERAL CONTRACTOR TERMINAL PROJECT

Commissioner Goblirsch moved, Mathews seconded, that the Port employ the Natt McDougall Company for the CM/GC pre-construction contract, per the advisory committee's recommendation. Motion passed 5-0. 10/15/07

CM/GC CONTRACT NATT MCDOUGALL COMPANY

Commissioner Goblirsch moved, Barton seconded, to approve the preconstruction contract between the Port and Natt McDougall Co. Motion passed 3-0. 10/30/07

RESOLUTION 12-2007

Commissioner Goblirsch moved, Fleck seconded, to approve Resolution 12-2007, Electing Application for Entry to the Oregon Public Employees Retirement System State and Local Government Rate Pool. Motion passed 5-0. 11/27/07

PROJECT REQUEST FOR MAINTENANCE RESERVE FUND

Commissioner Goblirsch moved, Fleck seconded, to approve an expenditure from the Maintenance Reserve Fund not to exceed \$18,000 to replace the roof on the building leased by Yaquina Bay Fruit Processors. Motion passed 4-0. 12/18/07

GRANT APPLICATION ENVIRONMENT ASSESSMENT HENNEBIQUE

Commissioner Goblirsch moved, Barton seconded, to approve the grant application to OECDD to fund a Level II environmental assessment on the SS Hennebique. Motion passed 4-0. 01/22/08

ALTERNATIVE ANALYSIS REPORT KPFF

Commissioner Goblirsch moved, Mathews seconded, to accept the Alternative Analysis Report submitted by KPFF Consulting Engineers. Motion passed 4-0. 01/22/08

CRUISE VESSEL FEASIBILITY STUDY PHASE III

Commissioner Mathews moved, Goblirsch seconded, to accept Phase II of the Cruise Ship Feasibility Study by Cook and Associates. Motion passed 3-0 with Chairman Halverson abstaining. 01/22/08

PACIFIC GROUND FISH RESEARCH PROGRAM/NOAA LETTER OF SUPPORT

Commissioner Fleck moved, Goblirsch seconded, that the Port should sign the NOAA Letter of Support regarding the Pacific Groundfish Research Program. Motion passed 3-0. 02/26/08

MANAGER'S ANNUAL REVIEW

Commissioner Goblirsch moved, Fleck seconded, to increase the General Manager's salary to \$115,000 over a period of three years, with a merit increase of 1.5% retroactive to January 1, 2008. Motion passed 3-0. 02/26/08

RESOLUTION 1-2008 EXTENDING SHORT-TERM INVESTMENT POLICY

Commissioner Fleck moved, Goblirsch seconded, to adopt Res. 1-2008 establishing short-term investment policy for investing bond proceeds for another year. Motion passed 5-0. 03/25/08

RESOLUTION 2-2008 SECOND ISSUANCE OF GO BOND PROCEEDS  
AUTHORIZATION

Commissioner Goblirsch moved, Fleck seconded, to adopt Res. 2-2008 authorizing the second issuance of GO bond proceeds. Motion passed 5-0. 03/25/08

SOUTH BEACH FUEL DOCK NEW OPERATOR'S AGREEMENT

Commissioner Goblirsch moved, Barton seconded, to approve the Operating Agreement for the South Beach Fuel Dock. Motion passed 5-0. 03/25/08

LANDAU ASSOCIATES, PHASE II ENVIRONMENTAL ASSESSMENT-SS  
HENNEBIQUE AND SS PASLEY

Commissioner Mathews moved, Goblirsch seconded, to approve the contract between the Port of Newport and Landau Associates for a Phase II Environmental Assessment on the SS Hennebique and additional sampling on the SS Pasley. Motion passed 5-0. 03/25/08

MAINTENANCE RESERVE FUND

Commissioner Goblirsch moved, Fleck seconded, to continue the Maintenance Reserve Fund. Motion passed 4-0. 04/22/08

NEWPORT FISHERIES CENTER

Commissioner Goblirsch moved, Fleck seconded, to direct staff to pursue a final project development and fundraising package for the proposed Fisheries Center Building. Motion passed 4-0. 04/22/08

MOORAGE DOCK UPGRADES

Commissioner Goblirsch moved, Mathews seconded, that the five-year dock rehabilitation plan be adopted. Motion passed 4-0. 04/22/08

RV PARK RATE INCREASE

Commissioner Fleck moved, Goblirsch seconded, to increase the RV Park rates by \$1.00 effective May 1, 2008. Motion passed 4-0. 04/22/08

BUDGET FY 08-09

Budget Committee member Ron Benfield moved, committee member Alan Brown seconded, to accept the budget for FY 08-09 and recommend it to the Port Commission for adoption. Motion passed with all in favor. 05/01/08

BUDGET FY 08-09

Commissioner Barton moved, Fleck seconded, to approve the amendment to the budget for FY 08-09 for sums totaling \$781,139 as presented. Motion passed with all in favor. 05/20/08

#### PASLEY EMERGENCY

Commissioner Goblirsch moved, Fleck seconded, to declare an emergency as it relates to the failing condition of the SS Pasley, to include the potential for loss of life and environmental and navigational hazards, and direct staff to take the necessary action, including notices to local, county, state, federal, and regulatory agencies. Motion passed 5-0. 05/20/08

#### SURPLUS PROPERTY

Commissioner Barton moved, Fleck seconded, to declare F/V Lillian C and the Monarch skiff as property surplus to the Port's needs. Motion passed 5-0. 05/20/08

#### RESOLUTION 3-2008, ADOPTING TRANSFER OF APPROPRIATIONS

Commissioner Goblirsch moved, Barton seconded, to approve Resolution 3-2008. Motion passed 3-0. 06/24/08

#### RESOLUTION 4-2008, ADOPTING SUPPLEMENTAL BUDGET AND INCREASING APPROPRIATIONS

Commissioner Goblirsch moved, Barton seconded, to adopt Resolution 4-2008. Motion passed 3-0. 06/24/08

#### RESOLUTION 5-2008, ADOPTING BUDGET, MAKING APPROPRIATIONS, AND LEVYING TAXES

Commissioner Barton moved, Goblirsch seconded, to approve Resolution 5-2008. Motion passed 3-0. 06/24/08

#### RESOLUTION 6-2008, DECLARING AN EMERGENCY AT THE PORT OF NEWPORT INTERNATIONAL TERMINAL SUNKEN SHIP HULL SS CW PASLEY

Commissioner Goblirsch moved, Barton seconded, to adopt Resolution 6-2008. Motion passed 3-0. 06/24/08

#### OREGON BREWING COMPANY AMENDMENT TO LEASE AGREEMENT

Commissioner Goblirsch moved, Barton seconded, to approve the Amendment to the Lease Agreement dated July 1, 2008. Motion passed 3-0. 06/24/08

#### ELECTION OF OFFICERS 2008-2009

Commissioner Goblirsch nominated Rob Halverson to continue as President of the Board of Commissioners. Commissioner Fleck seconded. Motion passed 5-0. 07/22/08

#### RESOLUTION 4-2008 CORRECTION

Commissioner Barton moved, Goblirsch seconded, to correct the transposed number and total. Motion passed 5-0. 07/22/08

#### REFRIGERATED VAN SITE

Commissioner Goblirsch moved, Fleck seconded, to accept the plan for the refrigerated container storage area and directed staff to move forward. Motion passed 5-0.

07/22/08

#### YAQUINA BAY MARKETING DVD—OREGON TOURISM COMMISSION, MATCHING GRANTS PROGRAM

Commissioner Barton moved, Goblirsch seconded, to approve the Port's application for the grant. Motion passed 4-0.

08/26/08

#### CITY OF NEWPORT ENFORCEMENT OF PORT PARKING LOTS PER MUNICIPAL CODE 6.20

Commissioner Goblirsch moved, Fleck seconded, to approve the ordinance amendment that would allow Newport's city parking enforcement officer to enforce the Port's parking regulations. Motion passed 4-0.

08/26/08

#### RESOLUTION 7-2008 AUTHORIZING A LOAN FOR THE RECONSTRUCTION OF H-DOCK IN SOUTH BEACH

Commissioner Fleck moved, Goblirsch seconded, to approve the resolution authorizing the loan. Motion passed 4-0.

08/26/08

#### RESOLUTION 8-2008 SUPPORTING THE PACIFIC FISHERIES MANAGEMENT COUNCIL'S DEVELOPMENT OF AN INDIVIDUAL FISHING QUOTA SYSTEM FOR THE WEST COAST TRAWL GROUND FISH FISHERY AND OPPOSING ALLOCATION OF HARVESTING SHARES TO FISH PROCESSING COMPANIES.

Commissioner Halverson moved, Barton seconded, to adopt the resolution. Motion passed 4-0.

09/23/08

#### UPLAND DEVELOPMENT SLOW DOWN

Commissioner Barton moved, Mathews seconded, to instruct Don Mann to work with the contractor to suspend the upland development until the Port has a better idea of the permitting process. Motion passed 3-0.

09/23/08

#### RESOLUTION 9-2008

Commissioner Fleck moved, Mathews seconded, to adopt Resolution 9-2008, authorizing a loan for the capital purchase of a Hyster forklift. motion passed 4-0.

10/28/008

#### PORT OF TOLEDO BOND MEASURE/FRED WAHL MARINE

Commissioner Barton moved, Fleck seconded, that the Port of Newport endorse and support the Port of Toledo's bond measure that is on the November 2008 ballot. Motion passed 4-0.

10/28/08



#### OTTER ROCK MARINE RESERVE MOU

Commissioner Mathews moved, Fleck seconded, that the Port of Newport Commission endorse the concept of the Near Shore Action Team's Memorandum of Understanding and become a signatory to it as it goes through the process. Motion passed 4-0.

10/28/08

#### KPFF CONSULTING ENGINEERS CONTRACT PHASE 2

Commissioner Goblirsch moved, Fleck seconded, to approve the Phase 2 contract between the Port and KPFF Consulting Engineers. Motion passed 5-0.

11/25/08

#### NATT MCDOUGALL COMPANY CONTRACT AMENDMENT

Commissioner Fleck moved, Barton seconded, to amend the pre-construction contract between NMC and the Port, changing the expiration date from March 2008 to March 2009. Motion passed 5-0.

11/25/08

#### KENNEDY/JENKS CONSULTANTS BUDGET AMENDMENT

Commissioner Goblirsch moved, Fleck seconded, to approve the Kennedy/Jenks Budget Amendment No. 2. Motion passed 5-0.

11/25/08

#### ENVIROISSUES PROJECT MANAGEMENT SERVICES DRAFT SCOPE OF WORK

Commissioner Goblirsch moved, Fleck seconded, to adopt the draft project scope of work for Port of Newport Communications Management by Enviroissues. Motion passed 4-0. (Commissioner Barton did not vote.)

11/25/08

#### TERMINAL REMEDIATION OECDD BROWNFIELD'S GRANT APPLICATION

Commissioner Fleck moved, Mathews seconded, to approve and submit the OECDD Brownfield's Grant Application. Motion passed 5-0.

11/25/08

#### FACILITY MAINTENANCE RESERVE FUND EXPENDITURE ROGUE GUTTERS

Commissioner Mathews moved, Fleck seconded, that \$7,815 be drawn from the Maintenance Reserve Fund to pay for a cost overrun on the Rogue warehouse gutter project. Motion passed 5-0.

11/25/08

#### NOAA HOMEPORT PROJECT PRE-BID CONFERENCE/OFFER

Commissioner Barton moved, Mathews seconded, that staff should attend the NOAA homeport project pre-bid conference and prepare an offer to meet the January 21, 2009 deadline.

12/17/08

#### PACIFIC NORTHWEST CONSULTANTS LLC CONSULTING AGREEMENT

Commissioner Goblirsch moved, Mathews seconded, to approve the contract between the Port and Pacific Northwest Consultants LLC for the submittal package for the NOAA project. Motion passed 5-0.

12/17/08

#### YAQUINA BAY FRUIT PROCESSORS—REQUEST TO REDUCE SIZE OF LEASED PROPERTY

Commissioner Goblirsch moved, Fleck seconded, to authorize General Manager Don Mann to re-negotiate the lease between the Port of Newport and Yaquina Bay Fruit Processors. Motion passed 5-0. 12/23/08

#### ECONOMIC DEVELOPMENT ADMINISTRATION GRANT APPLICATION

Commissioner Fleck moved, Mathews seconded, to approve the grant application contingent on the commissioni's receiving an application summary when it is done. Motion passed 4-0. 01/14/09

#### COMMISSION VACANCY

Commissioner Mathews moved, Barton seconded, that David Jincks be appointed to the Port Commission to fill the vacancy in Position 2 and complete the term that expires June 30, 2009. Motion passed 4-0. 01/27/09

#### NOAA OFFER SIGNATURE AUTHORITY

Commissioner Barton moved, Mathews seconded, to approve Resolution 1-2009 authorizing Don Mann, General Manager, to sign the NOAA Solicitation for Offer (SFO) No. 09WSA0200C, on behalf of the Port. Motin passed 4-0. 01/27/09\

#### OECDG GRANT APPLICATION

Commissioner Fleck moved, Barton seconded, to approve staff;s submitting the application for \$25,000 from OECDG Port Planning & Marketing Fund. Motion passed 4-0. 01/27/09

#### YAQUINA BAY FRUIT PROCESSORS LEASE AMENDMENT

Commissioner Barton moved, Fleck seconded, to amend the least between the Port of Newport and Yaquina Bay Fruit Processors. Motion passed 3-1 with Commissioner Mathews voting nay. 01/27/09

#### STREET VACATION—SW 12<sup>TH</sup> STREET

Commissioner Jincks moved, Mathews seconded, to approve the street vacation of a portion of SW 12<sup>th</sup> Street as described and requested. Motion passed 4-0. 02/24/09

#### SURPLUS—1996 FORD PICKUP

Commissioner Mathews moved, Fleck seconded, to declare the 1996 Ford Pickukp surplus to the Port's needs. Motion passed 3-0. 02/24/09

#### RESIDUAL OIL REMOVAL SS PASLEY

Commissioner Jincks moved, Fleck seconded, to proceed with a written action plan and hire a contractor to remove the residual oil from the Pasley. Commissioner Barton confirmed that there would be a detailed plan containing a time line and with contingency measures including protection of the inlets for the Oregon Coast Aquarium

and Hatfield Marine Science Center following the Yaquina Bay Response Plan. Motion passed 5-0. 03/24/09

#### WEBER/PORT DOCK 5 FUEL DOCK LEASE RENEWAL

Commissioner Jincks moved, Mathews seconded to adopt the lease renewal for the Port Dock 5 Fuel Dock. Motion passed 5-0.

#### NOAA COASTAL AND MARINE HABITAT RESTORATION PROJECT GRANT APPLICATION (Motion 1)

Commissioner Jincks moved, Mathews seconded, that the Port following the suggestion of its consultants, ODFW, and submit a letter in the grant application stating the Port will supply a third party manager for the project. Commissioner Fleck added that the third party manager would keep the restoration project separate from the construction project and the Port would continue working with its current consulting engineer. Motion passed 5-0. 03/24/09

#### NOAA COASTAL AND MARINE HABITAT RESTORATION PROJECT GRANT APPLICATION (Motion 2)

Commissioner Barton moved, Jincks seconded, that the Port, in conjunction with relevant regulatory agencies, pursue the stimulus money that is being offered through NOAA to remove the Pasley and Hennebique, and that GM Don Mann be appointed as contact person and given authority to sign the grant application. Motion passed 5-0. 03/24/09

#### RESOLUTION 2-2009 AUTHORIZING A LOAN FOR THE RECONSTRUCTION OF H DOCK IN SOUTH BEACH AND RESCINDING RESOLUTION 7-2008.

Commissioner Mathews moved, Jincks seconded to adopt Resolution 2-2009. Motion passed 5-0. 04/30/09

#### BUDGET CALENDAR

Commissioner Jincks moved, Mathews seconded to approve the Budget Calendar. Motion passed with all in favor. 05/12/09

#### BUDGET F/Y 2009-2010

Fred Postlewait moved, Julie Hanrahan seconded, to accept the proposed budget with modifications and recommend it to the Port of Newport Board of Commissioners. Motion passed unanimously. 05/12/09

#### NEWPORT BELLE BED & BREAKFAST LEASE

Commissioner Jincks moved, Mathews seconded, to approve the lease dated March 1, 2009 between the Port of Newport and Newport Belle B&B. Motion passed 4-0. 05/26/09

#### SURPLUS ITEMS

Commissioner Jincks moved, Fleck seconded to declare the Grove hydro crane, Chevrolet pickup, recreational power boat, and DaeWoo forklift surplus to the Port's needs. Motion passed 4-0. 05/26/09

#### BUDGET DOCUMENT CHANGES

Fred Postlewait moved, JoAnn Barton seconded, to accept changes in the budget document as described. Motion passed unanimously. 05/28/09

#### FY 2009-2010 TAX LEVY

Fred Postlewait moved, JoAnn Barton seconded that the Budget Committee approve taxes for the 2009-2010 fiscal year at 0.069 per 1,000 for operating purposes, and in the amount of 842,175 for payment of bond principal and interest. Motion passed unanimously. 05/28/09

#### RESOLUTION 3-2009 ADOPTING BUDGET, MAKING APPROPRIATIONS, AND LEVYING TAXES

Commissioner Fleck moved, Barton seconded to adopt Resolution 3-2009 adopting the Port's budget in total of \$19,000,244 for F/Y 2009-2010 beginning July 1, 2009. Motion passed 4-0. 06/23/09

#### OECD PORT PLANNING & MARKETING GRANT APPLICATION NOAA MOC-P FINAL REVISED PROPOSAL

Commissioner Barton moved, Fleck seconded, to approve the application as presented. Motion passed 4-0. 06/23/09

#### KPFF CONSULTING ENGINEERS CONTRACT AMENDMENT

Commissioner Fleck moved, Barton seconded, to approve the KPFF Consulting Engineers Contract Amendment. Motion passed 4-0. 06/23/09

#### OFFICIAL ABSTRACT OF VOTES, MAY 19, 2009 ELECTION

Commissioner Jincks moved, Barton seconded, to accept the Abstract of Votes of the May 19, 2009 election. Motion passed 4-0. 06/23/09

#### JOINT RESOLUTION CITY/COUNTY PORT NOAA MOC-P PROJECT

Commissioner Jincks moved, Fleck seconded, to approve the resolution with additions as discussed. Motion passed 4-0. 06/23/09

#### ELECTION OF OFFICERS 2009-2010

Commissioner Jincks moved, Barton seconded, to retain the same slate of officers for the next year. Motion passed 5-0. 07/28/09

OTTER ROCK MARINE RESERVE MEMORANDUM OF UNDERSTANDING  
Commissioner Jincks moved, Fleck seconded, to support the Otter Rock Marine Reserve MOU. Motion passed 5-0. 07/28/09

RESOLUTION 4-2009, AMENDING SECTION 5.3 HOLIDAYS TO THE PORT OF NEWPORT PERSONNEL MANUAL  
Commissioner Jincks moved, Barton seconded, to adopt Resolution 4-2009 amending Section 5.3 to the Port Personnel Manual. Motion passed 5-0. 07/28/09

RESOLUTION 5-2009 APPROVING LEASE FOR REAL PROPERTY WITH THE UNITED STATES OF AMERICA  
Commissioner Barton moved, Jincks seconded to approve the resolution approving the lease between the Port of Newport and United States of America. A roll call vote was taken and the motion passed unanimously 5-0. 08/05/09

RESOLUTION 6-2009 AUTHORIZING A BRIDGE LOAN FOR INTERIM FINANCING PENDING ISSUANCE OF REVENUE BOND FOR NOAA MOC-P CONSTRUCTION  
Commissioner Barton moved, Jincks seconded, to adopt Resolution 6-2009 authorizing the commission president and secretary to sign the resolution and bridge loan for interim financing pending issuance of revenue bonds for NOAA MOC-P construction. Motion passed 4-0. 08/18/09

CAPITAL PURCHASES NOT TO EXCEED \$108,000  
Commissioner Barton moved, Jincks seconded, to approve capital purchases as specified not to exceed \$108,000. Motion passed 4-0. 08/25/09

CENTRAL OREGON COAST CALIFORNIA SEA LION DISENTANGLEMENT COOPERATION  
Commissioner Jincks moved, Barton seconded, that the Port of Newport participate in the Sea Lion Disentanglement program. Motion passed 4-0. 08/25/09

DAY CPM PROJECT AGREEMENT  
Commissioner Jincks moved, Barton seconded, to authorize GM Don Mann to enter into an agreement with Day CPM for project management on the Terminal Renovation Project and to authorize Mann to make expenditures within that project's budget. Motion passed 4-0. 09/22/09

DECLARATION OF SURPLUS PROPERTY  
Commissioner Jincks moved, Barton seconded, to declare 1983 GMC 3-Ton Dump Truck, VIN #1GDE6D1A5DV527166, and Evinrude V4 100 HP Outboard Motor, Model E100WTLERTS, SN 003629601 surplus to the Port's needs. Motion passed 4-0.

09/22/09

#### MOTION TO ACCEPT FINDINGS OF FACT

Commissioner Jincks moved, Mathews seconded, to accept the Findings of Fact in support of exempting the NOAA MOC-P project from the traditional formal competitive bidding process. Motion passed 4-0. 09/29/09

#### MOTION TO INSTRUCT STAFF TO USE RFP

Commissioner Barton moved, Mathews seconded, to instruct staff to use the Request for Proposal (RFP) method of solicitation, and that this method be used as the alternative to traditional formal competitive bidding to allow for the use of the CM/GC process for the NOAA MOC-P Project. Motion passed 4-0. 09/29/09

#### RESOLUTION 7-2009 EXEMPTING CONTRACT FROM COMPETITIVE BIDDING

Commissioner Mathews moved, Jincks seconded, to approve Resolution 7-2009 exempting the NOAA MOC-P Project from competitive bidding. Motion passed 4-0. 09/29/09

#### RESOLUTION 8-2009 AUTHORIZING THE ISSUANCE OF TAXABLE LEASE REVENUE BONDS AND A MASTER LEASE REVENUE BOND DECLARATION

Commissioner Jincks moved, Fleck seconded, to approve Resolution 8-2009. Motion passed 4-0. 10/07/09

#### RESOLUTION 9-2009 CREATING NOAA MOC-P FUND

Commissioner Jincks moved, Fleck seconded, to adopt Resolution 9-2009 establishing a separate fund for the NOAA MOC-P Project. Motion passed 3-0. 10/27/09

#### CM/GC PRE-CONSTRUCTION CONTRACT RATIFICATION

Commissioner Fleck moved, Jincks seconded, to ratify the pre-construction contract between the Port of Newport and Andersen/WCC. Motion passed 3-0. 10/27/09

#### AGREEMENT FOR PROFESSIONAL SERVICES WITH KPFF CONSULTING ENGINEERS FOR INTERNATIONAL TERMINAL RENOVATION PROJECT

Commissioner Jincks moved, Fleck seconded, to approve the agreement for professional services between the Port of Newport and KPFF Consulting Engineers for the International Terminal Renovation Project. Motion passed 3-0. 10/27/09

#### INSURANCE AGENT OF RECORD

Commissioner Fleck moved, Jincks seconded, to accept Mark Collson, Western States Insurance, as agent of record for the Port of Newport's liability and property coverage. Motion passed 3-0. 10/27/09

#### RESOLUTION 10-2009 AUTHORIZING A BRIDGE LOAN FOR INTERIM FINANCING PENDING ISSUANCE OF REVENUE BOND FOR NOAA MOC-P CONSTRUCTION

Commissioner Fleck moved, Barton seconded, to approve Resolution 10-2009. Motion passed 3-0. 11/04/09

**SOUTH BEACH FUEL DOCK LEASE RENEWAL**

Commissioner Barton moved, Jincks seconded, to approve the South Beach fuel dock lease renewal. Motion passed 4-0. 12/22/09

**STATE OF OREGON GRANT AGREEMENT FOR NOAA MOC-P**

Commissioner Barton moved, Mathews seconded, that the grant agreement be accepted as presented and that the General Manager be directed to sign and submit the agreement. Motion passed 4-0. 12/22/09

**NEWPORT WILD SEAFOOD WEEKEND—NEWPORT FISHERMEN'S WIVES**

Commissioner Jincks moved, Mathews seconded, to proceed in working with the Newport Fishermen's Wives to promote the Wild Seafood Weekend, September 11-12, 2010. Motion passed 4-0. 12/22/09

**TERMINAL RENOVATION PROJECT**

Commissioner Jincks moved, Fleck seconded, to adopt the staff recommendation for the International Terminal Project. Motion passed 5-0. 02/23/10

**PROPERTY LINE ADJUSTMENTS DEEDS—PORT PROPERTY SOUTH BEACH RELATING TO THE NOAA MOC-P PROJECT**

Commissioner Barton moved, Jincks seconded, to authorize Don Mann to sign the Property Line Adjustments Deeds. Motion passed 5-0. 02/23/10

**F/V HELEN MCCOLL SALVAGE OPERATION**

Commissioner Barton moved, Jincks seconded, to authorize Don Mann to spend resources from operating capital to remove F/V Helen McColl from the waterway. Motion passed 5-0. 02/23/10

**CARGO MARKET ANALYSIS PLAN—REQUEST FOR CONSULTANT QUALIFICATIONS FOR THE PORT OF NEWPORT INTERNATIONAL TERMINAL**

Commissioner Jincks moved, Fleck seconded, to adopt the Cargo Market Analysis Plan. Motion passed 5-0. 02/23/10

**TERMINAL RENOVATION PROJECT CHANGE ORDER**

Commissioner Fleck moved, Barton seconded, to direct GM Don Mann to sign Change Order No 3, extending the contract between the Port and NMC until May 15, 2010 and increasing compensation by an amount not to exceed \$25,000. Motion passed 4-0. 03/23/10

RESOLUTION 1-2010 AUTHORIZING APPLICATION FOR RENEWAL OF  
ENTERPRISE AND ELECTRONIC COMMERCE ZONE WITH CITIES OF LINCOLN  
CITY, TOLEDO, AND WALDPORT, AND LINCOLN COUNTY

Commissioner Barton moved, Fleck seconded to adopt resolution 1-2010 as amended.  
Motion passed 4-0. 03/23/10

STATE OF OREGON BUSINESS DEVELOPMENT DEPARTMENT FINANCING  
AGREEMENT, PROJECT NO. Q10001

Commissioner Barton moved, Fleck seconded, that the commission approve the State  
of Oregon Business Development Financing Agreement, Project No. Q10001, and  
authorize General Manager Don Mann to be signatory on future documents associated  
with the agreement. Motion passed 4-0. 04/14/10

TERMINAL BUILDINGS

Commissioner Jincks moved, Mathews seconded, to approve the funding of the upland  
facilities of the terminal project through the proposed new budget. Motion passed 5-0.  
05/25/10

DECLARATION OF SURPLUS PROPERTY

Four 16X14" Allis Chalmers centrifugal pumps; Four 125 Horsepower 480 volt motors;  
Four Non-PCB Staring Capacitors; Three 14" butterfly valves:  
Commissioner Fleck moved, Barton seconded, to declare the equipment surplus to the  
Port's needs. Motion passed 5-0. 05/25/10

RESOLUTION 2-2010 ADOPTING BUDGET, MAKING APPROPRIATIONS, AND  
LEVYING TAXES FY 2010/2011

Commissioner Fleck moved, Jincks seconded to adopt Resolution 2-2010. Motion  
passed 3-0. 06/22/10

RESOLUTION 3-2010 RENAMING NOAA MOC-P FUND TO NOAA LEASE REVENUE  
FUND

Commissioner Jincks moved, Fleck seconded, to adopt Resolution 3-2010. Motion  
passed 3-0. 06/22/10

RESOLUTION 4-2010 ADOPTING TRANSFER OF APPROPRIATIONS FY 2009/2010

Commissioner Jincks moved, Fleck seconded, to adopt Resolution 4-2010. Motion  
passed 3-0. 06/22/10

RESOLUTION 5-2010 AUTHORIZING A LOAN FOR THE CONSTRUCTION OF TWO  
BUILDINGS AT THE NEWPORT INTERNATIONAL TERMINAL

Commissioner Fleck moved, Jincks seconded, to adopt Resolution 5-2010. Motion  
passed 3-0. 06/22/10



**RESOLUTION 6-2010 HOLIDAY PAY**

Commissioner Fleck moved, Jincks seconded, to adopt Resolution 6-2010 reinstating holiday pay for Port staff. Motion passed 3-0. 06/22/10

**REESOLUTION 7-2010 EXTENDING WORKER'S COMPENSATION COVERAGE TO VOLUTEERS OF THE PORT OF NEWPORT**

Commissioner Jincks moved, Fleck seconded, to adopt Resolution 7-2010. Motion passed 3-0. 06/22/10

**STATE OF OREGON BUSINESS DEVELOPMENT GRANT CONTRACT FOR TERMINAL CLEANUP PROJECT NO. Q10002**

Commissioner Fleck moved, Jincks seconded, to accept the Grant Contract. Motion passed 3-0. 06/22/10

**DECLARATION OF SURPLUS PROPERTY—SEIZED VESSELS**

Commissioner Jincks moved, Fleck seconded, to declare the seized vessels as described as surplus to the Port's needs. Motion passed 3-0. 06/22/10

**ENVIROISSUES CONTRACT**

Commissioner Jincks moved, Fleck seconded, to enter into a contract agreement with Envirolssues as stated. Motion passed 3-0. 06/22/10

**RESOLUTION 8-2010 ESTABLISHING SHORT-TERM INVESTMENT POLICY**

Commissioner Jincks moved, Mathews seconded, to adopt Resolution 8-2010 Establishing Short-Term Investment Policy. Motion passed 3-0. 07/27/10

**DCI OBJECTIVES CONTRACT**

Commissioner Mathews moved, Jincks seconded, to enter into a contract with DCI Objectives at a cost of \$6,750. Motion passed 3-0. 07/27/10

**NATT MCDUGALL COMPANY, GMP AMENDMENTS**

Commissioner Jincks moved, Mathews seconded, to adopt and execute the GMP Amendments Nos. 1 and 2. Motion passed 3-0. 07/27/10

**OCZMA DESIGNATED REPRESENTATIVES**

Commissioner Jincks moved, Mathews seconded, to appoint Commissioner Ginny Goblirsch as elected representative to OCZMA. Motion passed 3-0. Don Mann will serve as Designated Alternate. 07/27/10

**ELECTION OF OFFICERS**

Commissioner Jincks moved, Barton seconded to appoint the following slate of officers for 2010-2011: Ginny Goblirsch, President; JoAnn Barton, Vice-President; David Jincks, Secretary; Don Mathews, Treasurer; Dean Fleck, Assistant Secretary-Treasurer. Motion passed 4-0. 08/24/10

#### TERMINAL RENOVATION PROJECT

Commissioner Barton moved, Jincks seconded, to approve, adopt, and execute the GMP Amendments Nos 3 and 4. Motion passed 5-0. 08/24/10

#### OLD LAUNCH RAMP SOUTH BEACH MARINA MITIGATION PROPOSAL

Commissioner Jincks moved, Barton seconded, that the Port move forward with the Initial Mitigation Plan, including the budget as proposed. Motion passed 5-0. 08/24/110

#### FOULWEATHER TRAWL LEASE

Commissioner Fleck moved, Barton seconded, to approve the extension of the lease dated October 1, 2010 between the Port of Newport and Foulweather Trawl. Motion passed 3-0. 09/28/10

#### BANK RESOLUTIONS

Commissioner Jincks moved, Barton seconded, for adoption of Resolution 9-2010, West Coast Bnak, and Resolution 10-2010, Umpqua Bank. Motion passed 5-0. 10/12/10

#### TERMINAL RENOVATION AMENDMENTS 5-7

Commissioner Barton moved, Jincks seconded to approve GMP No. 5. Motion passed 5-0.

Commissioner Barton moved, Fleck seconded, to approve GMP No. 6. Motion passed 5-0.

Commissioner Barton moved, Mathews seconded, to approve GMP No. 7. Motion passed 5-0. 10/12/10

#### ADDITIONAL SERVICES REQUEST DAY CPM

Commissioner Jincks moved, Mathews seconded, to extend the Day CPM contract through Phases 1 and 2 of the Terminal Project. Motion passed 5-0. 10/12/10

#### OBDD GRANT APPLICATION FOR NOAA MOC-P DREDGING

Commissioner Barton moved, Jincks seconded, to proceed with the application in the amount of \$538,000. Motion passed 5-0. 10/12/10

#### SURPLUS—30 FOOT VESSEL LILIA AND ASSOCIATED GEAR, OR088TN

Commissioner Mathews moved, Jincks seconded, to declare the vessel and gear surplus to the Port's needs. Motion passed 4-0. 10/26/10

#### AUDIT REPORT YEAR ENDED JUNE 30 2010

Commissioner Jincks moved, Mathews seconded, to accept the audit report for the year ending June 20, 2010. Motion passed 5-0. 11/23/10

#### SOUTH BEACH PENINSULA TRANSPORTATION PROJECT

Commissioner Barton moved, Jincks seconded, that the Port enter into the Intergovernmental Agreement with the Newport Urban Renewal Agency. Motion passed 5-0. 11/23/10

#### CAPITALIZATION POLICY

Commissioner Barton moved, Jincks seconded, to approve the amendments to the Assset Capitalization Policy. Motioned passed 5-0. 11/23/10

#### DECLARATION OF SURPLUS S/V JUMP THE SHARK

Commissioner Jincks moved, Barton seconded, to declare the vessel Jump the Shark and gear associated with the vessel surplus. Motion passed 5-0. 11/23/10

#### THIRD PARTY OVERSIGHT CONTRACT/TERMINAL

Commissioner Jincks moved, Barton seconded, to approve the contract for third-party oversight between the Port and Lance Downs. Motion passed 5-0. 12/21/10

#### RESOLUTION 11-2010 AUTHORIZING ISSUANCE, NEGOTIATED SALE AND DELIVERY OF GO BONDS; DESIGNATING AN AUTHORIZED REPRESENTATIVE, BOND COUNSEL AND UNDERWRITER; DELEGATING THE APPROVAL AND DISTRIBUTION OF THE PRELIMINARY AND FINAL OFFICIAL STATEMENTS; AUTHORIZING EXECUTION OF A BOND PURCHASE AGREEMENT; AND RELATED MATTERS

Commissioner Jincks moved, Barton seconded, to approve Resolution 11-2010. Motion passed 5-0. 12/21/10

#### DECLARATION OF SURPLUS EQUIPMENT/WASHERS & DRYERS

Commissioner Barton moved, Fleck seconded, to declare three commercial washers, serial numbers CS4233325, CK3605722, and CK3906239, and three commercial dryers, serial numbers MK2701704, MK2701700, and MK3302084 surplus to the Port's needs. Motion passed 5-0. 12/21/10

#### RESOLUTION 1-2011 ADOPTING SUPPLEMENTAL BUDGET AND INCREASING APPROPRIATIONS

Commissioner Barton moved, Jincks seconded, to approve Resolution 1-2011. Motion passed 4-0. 01/25/11

#### CAPTAINS CHARTERS ASSIGNMENT OF LEASE

Commissioner Fleck moved, Barton seconded, to approve the assignment of lease for Captain's Charters from Glenn Willard to Gary and Barbara Powell and further moved that the General Manager be authorized to sign the lease assignment. Motion passed 4-0. 01/25/11

TERMINAL RENOVATION AMENDMENT #8 REMEDIATION OF THE PASLEY  
Commissioner Barton moved, Jincks seconded, to approve GMP Amendment #8 and  
authorize General Manager to sign documentation. Motion passed 4-0. 01/25/11

#### CASCADES WEST AREA COMMISSION ON TRANSPORTATION REPRESENTATIVES

Commissioner Barton nominated Don Mathews to serve as representative with  
Maureen Keeler as alternate. Jincks seconded. Motion passed 4-0. 01/25/11

#### SOUTH BEACH MARINA FUEL FACILITY RETROFIT AND REPAIR

Commissioner Jincks moved, Fleck seconded, to approve the contract between the  
Port of Newport and 4C's Environmental Inc for the retrofit and repair work at the South  
Beach Marina Fuel Facility, but delay signing the contract until the Port was satisfied  
with the contractor's proposed timeline. Motion passed 4-0. 03/14/11

#### AMENDMENT #1 DAY CPM SERVICES AGREEMENT FOR 1-YEAR WARRANTY MANAGEMENT

Commissioner Jincks moved, Barton seconded, to accept Amendment #1 to the Day  
CPM Services Agreement for one year warranty management. Motion passed 4-0.  
03/22/11

#### BUDGET COMMITTEE MEETING

Budget committee member Ron Benfield moved that the Port of Newport budget  
committee approve taxes for the 2011-2012 fiscal year at the rate of \$0.0609 per  
\$1,000 of assessed value for operating purposes, and in the amount of \$481,627 for  
payment of bond principal and interest, and recommended the document to the Port of  
Newport Board of Commissioners for adoption. Commissioner Goblirsch seconded the  
motion and it passed with all in favor. 05/11/11

#### RESOLUTION 2-2011 ADOPTING TRANSFER OF APPROPRIATIONS

Commissioner Barton moved, Jincks seconded, to approve Resolution 2-2011 adopting  
a transfer of appropriations. Motion passed 4-0. 05/24/11

#### VESSELS TO BE DECLARED SURPLUS

Commissioner Fleck moved, Barton seconded, to declare the vessels included on the  
attached list as surplus to the Port's needs. Motion passed 4-0. 05/24/11

#### INTERNATIONAL TERMINAL PROJECT AMENDMENTS DRAWDOWN

Commissioner Jincks moved, Barton seconded, to direct the project manager, Day  
CPM, to work with Natt McDougall Company (NMC) to identify an amount that could be  
drawn down from the existing amendments. Motion passed 4-0. 06/28/11

#### AMENDMENT NO. 9 TERMINAL PROJECT

Commissioner Jincks moved, Barton seconded, to approve Amendment No. 9, Tie Backs/Tie Beam. Motion passed 4-0. 06/28/11

#### RESOLUTION 3-2011 ADOPTING BUDGET, MAKING APPROPRIATIONS, AND LEVYING TAXES FY 2011-2012

Commissioner Barton moved, Mathews seconded, to approve Resolution 3-2011. Motion passed 4-0. 06/28/11

#### MAY 17, 2011 ELECTION OFFICIAL ABSTRACT OF VOTES

Commissioner Jincks moved, Mathews seconded, to approve the official abstract of votes for the May 17, 2011 special election. Motion passed 4-0. 06/28/11

#### SLATE OF OFFICERS 2011-2012

Commissioner Jincks moved, Mathews seconded, to appoint the slate of officers for 2011-2012: JoAnn Barton, President; Ginny Goblirsch, Vice-President; David Jincks, Secretary; Don Mathews, Treasurer; Dean Fleck, Asst. Secretary-Treasurer. Motion passed 4-0. 06/28/11

#### RESOLUTION 4-2011 ESTABLISHING SHORT-TERM INVESTMENT POLICY

Commissioner Fleck moved, Goblirsch seconded, to approve Resolution 4-2011. Motion passed 4-0. 07/26/11

#### NMC AMENDMENT 10, SS PASLEY DEMOLITION AND BULKHEAD WALL

Commissioner Jincks moved, Goblirsch seconded, to approve NMC Amendment No. 10 and authorize General Manager Don Mann to sign. Motion passed 4-0. 07/26/11

#### CARLSON TESTING, INC. PERSONAL SERVICES AGREEMENT

Commissioner Goblirsch moved, Fleck seconded, to approve the personal services agreement not to exceed \$36,925.40 and authorize Don Mann to sign. Motion passed 4-0. 07/26/11

#### FUNDING OPTIONS TERMINAL PROJECT

Commissioner Jincks moved, Goblirsch seconded, to authorize the General Manager to request the Oregon Business Department to prepare an amendment to the project number Q10001, asking that the principal loan amount of \$800,000 be increased by \$500,000 for a total of \$1.3 million, with the intent to convert this principal loan amount to a term loan in June 2013, and interest only payments July 2013-June 2014, principal and interest payments beginning July 2014 on a 20-year term at an interest rate of 3%. Motion passed 5-0. 08/23/11

#### MOC-P PROJECT SAVINGS

Commissioner Jincks moved, Fleck seconded, that the commission direct General Manager Don Mann and staff to transfer the savings from the NOCC MOC-P project

into a supplemental reserve account not to exceed \$1.1 million. Commissioner Jincks amended his motion to include direction to use lease revenue from the NOAA MOC-P project, not to exceed \$1.1 million, towards the Terminal Renovation Project's construction budget. Commissioner Fleck seconded the amended motion. Motion passed 3-0. 09/09/11

**NMC AMENDMENTS NO. 11 AND 12 TERMINAL RENOVATION PROJECT**  
Commissioner Fleck moved, Jincks seconded, to approve NMC Amendments No. 11 and 12 and authorize General Manager to sign. Motion passed 3-0. 09/27/11

**INTERGOVERNMENTAL AGREEMENT BETWEEN CITY AND PON REGARDING BAY FRONT PARKING SYSTEM IMPROVEMENTS**  
Commissioner jincks moved, Fleck seconded, to adopt the IGA regarding Port participation in bay front area parking system improvements. Motion passed 3-0. 09/27/11

**RESOLUTION 5-2011 ADOPTING SUPPLEMENTAL BUDGET & INCREASING APPROPRIATIONS**  
Commissioner Fleck moved, Jincks seconded, to adopt Resolution 5-2011 adopting the supplemental budget and increasing appropriations. Motion passed 4-0. 10/25/11

**NMC AMENDMENT NO. 13 TERMINAL RENOVATION PROJECT**  
Commissioner Jincks moved, Fleck seconded, to approve NMC Amendment No. 13 and authorize the Commission President to sign the documentation. Motion passed 3-0. 10/25/11

**COMMISSION VACANCY APPOINTMENT**  
Commissioner Fleck moved, Jincks seconded, that Walter Chuck be appointed to the board to fill the vacancy in position 1. Motion passed 3-0. 11/22/11

**GMP AMENDMENT NO. 14 TERMINAL RENOVATION PROJECT**  
Commissioner Fleck moved, Jincks seconded, to approve NMC Amendment No. 14 and authorize the General Manager to sign the documentation. Motion passed 4-0. 11/22/11

**PORT DOCK 5 CONSTRUCTION CONTRACT**  
Commissioner Jincks moved, Fleck seconded, to approve the agreement between the Port and Billeter Marine LLC to complete work as specified on the Port Dock 5 Header & Gangway project. Motion passed 4-0. 11/22/11

#### ELECTION OF OFFICERS

Commissioner Fleck moved, Chuck seconded, that President, Assistant Secretary-Treasurer, and Treasurer positions remain the same, and nominated Walter Chuck for Secretary and David Jincks for Vice-President. Motion passed 3-0. 12/27/11

#### AUDIT REPORT F/Y ENDING JUNE 30 2011

Commissioner Fleck moved, Chuck seconded, to accept the audit report F/Y ending June 30, 2011 as presented and recommended by the Audit Committee. Motin passed 3-0. 12/27/11

#### GMP AMENDMENT NO. 15—STEEL & SHEET PILE SALVAGE & BUYBACK

Commissioner Fleck moved, Chuck seconded to approve NMC Amendment No. 15 and authorize General Manager Don Mann to sign. Motion passed 3-0. 12/27/11

#### KPFF ENGINEERS CONTRACT AMENDMENT FOR RO/RO DOCK MODIFICATION/DESIGN

Commissioner Fleck moved, Chuck seconded, to accept the contract amendment. Motion passed 3-0. 12/27/11

#### RESOLUTION 6-2011, IFA MARINE NAVIGATION IMPROVEMENT FUND GRANT APPLICATION FOR DREDGING

Commissioner Fleck moved, Chuck seconded, to approve Resolution 6-2011. Motion passed 3-0. 12/27/11

#### SURPLUS PROPERTY

Commissioner Fleck moved, Chuck seconded, to declare the Xerox WorkCenter 5030 copier surplus to the Port's needs. Motion passed 3-0. 12/27/11

#### OREGON BREWING COMPANY—ROGUE LEASE AMENDMENT

Commissioner Jincks moved, Chuck seconded, to ratify the Rogue Lease Amendment dated January 24, 2012 between the Port and OBC. Motion passed 4-0. 01/24/12

#### OREGON STATE UNIVERSITY—MODIFICATION OF LEASE

Commissioner Chuck moved, Jincks seconded, to accept the Modoficiation of the Leases dated April 1, 1962 and November 5, 1962 between the Port and OSU to accommodate improvements to Marine Science Dr. Motion passed 4-0. 01/24/12

#### SURPLUS PROPERTY—SEIZED VESSELS

Commissioner Mathews moved, Jincks seconded, to declare F/V Hustler, F/V LeAnn, and four black cod pots surplus. Motion passed 4-0. 01/24/12

#### GMP AMENDMENT NO. 16—SOIL STABILIZING AT THE GAP AREA

Commissioner Fleck moved, Mathews seconded, to approve GMP Amendment No. 16 and authorize General Manager to signs. Motion passed 5-0. 02/28/12

STATE OF OREGON IFA MARINE NAVIGATION IMPROVEMENT FUND GRANT AGREEMENT

Commissioner Jincks moved, Chuck seconded, to direct staff to complete and submit the grant agreement. Motion passed 5-0. 02/28/12

OSMB GRANT APPLICATION—SOUTH BEACH LAUNCH RAMP BOARDING FLOATS

Commissioner Fleck moved, Mathews seconded, to approve completion and submittal of OSMB grant application. Motion passed 5-0. 02/28/12

NEW POSITION TO PERSONNEL ROSTER—NOAA MOC-P FACILITIES MANAGER

Commissioner Jincks moved, Fleck seconded, to approve the job description for the NOAA MOC-P Facilities Lease Manager. Motion passed 5-0. 02/28/12

GMP AMENDMENT NO. 17—ELECTRICAL AND RELATED WORK FOR CARGO DOCK

Commissioner Chuck moved, Fleck seconded, to approve GMP Amendment No. 17 and authorize the General Manager to sign. Motion passed 5-0. 03/27/12

GMP AMENDMENT NO. 18—GAP STABILIZATION AT HENNEBIQUE

Commissioner Fleck moved, Mathews seconded to approve GMP Amendment No. 18 and authorize the General Manager to sign. Motion passed 5-0. 03/27/12

LEASE AMENDMENTS SEAFARERS PERMITS & BROKERAGE/J. LAMB MARINE ELECTRIC

Commissioner Fleck moved, Chuck seconded, to approve both lease amendments. Motion passed 5-0. 03/27/12

NOAA MOC-P UTILITY EASEMENT

Commissioner Jincks moved, Chuck seconded to approve the 12-foot Public Utility Easement to the City of Newport at the MOC-P site. Motion passed 5-0. 03/27/12

\$400,000 FORGIVABLE LOAN FROM OBDD

Commissioner Jincks moved, Fleck seconded, to authorize General Manager to sign loan document after review and unless changed. After discussion motion passed 5-0. 03/27/12

AMENDMENT 4 DAY CPM SERVICES

Commissioner Jincks moved, Mathews seconded, to approve Amendment No. 4 to the Professional Services agreement between the Port and Day CPM. Motion passed 5-0. 04/24/12



PORT OF NEWPORT AND NEWPORT URBAN RENEWAL WARRANTY DEED  
Commissioner Chuck moved, Jincks seconded, to accept the warranty deed between  
the Port and Newport Urban Renewal. Motion passed 5-0. 04/24/12

GMP AMENDMENT NO 19—PREP WORK FOR FISHING DOCK  
Commissioner Jincks moved, Chuck seconded, to approve Amendment No 19 and  
authorize General Manager to sign the documentation. 05/22/12

ELECTION OF OFFICERS  
Commissioner Jincks moved, Fleck seconded, to approve the slate of officers as  
reinstated from the previous year. Motion passed 5-0.  
06/26/12

RESOLUTION 1-2012 ADOPTING SUPPLEMENTAL BUDGET AND INCREASING  
APPROPRIATIONS  
Commissioner Jincks moved, Fleck seconded, to approve Resolution 1-2012. Motion  
passed 5-0. 06/26/12

RESOLUTION 2-2012 ADOPTING BUDGET, MAKING APPROPRIATIONS, AND  
LEVYING TAXES FY 2012-2013  
Commissioner Fleck moved, Jincks seconded, to adopt Resolution 2-2012. Motion  
passed 5-0. 06/26/12

RESOLUTION 3-2012 RESOLUTION AUTHORIZING A FINANCING LOAN FROM  
THE SPECIAL PUBLIC WORKS FUND  
Commissioner Jincks moved, Fleck seconded, to adopt Resolution 3-2012. Motion  
passed 5-0. 06/26/12

OREGON BUSINESS DEVELOPMENT DEPARTMENT LOAN CONTRACT  
DOCUMENTS FOR TERMINAL RECONSTRUCTION  
Commissioner Fleck moved, Chuck seconded to approve the OBDD loan contract.  
Motion passed 5-0. 06/26/12

RONDYS, INC LEASE  
Commissioner Chuck moved, Fleck seconded, to approve the lease dated June 25,  
2012 between the Port and Rondys, Inc. Motion passed 5-0. 06/26/12

WEBER LEASE  
Commissioner Fleck moved, Mathews seconded, to approve assignment of Weber lease  
to Carver's. Inc. Motion passed 4-0. 07/24/12

RESOLUTION 4-2012 ESTABLISHING PEDESTRIAN/VEHICLE SAFETY PLAN TASK  
FORCE

Commissioner Chuck moved, Mathews seconded to approve Resolution 4-2012.  
Motion passed 4-0.

07/24/12

#### MEMBERSHIP ROSTER TASK FORCE

Commissioner Fleck moved, Mathews seconded, to approve the membership roster for the Pedestrian/Vehicle Safety Plan Task Force. Motion passed 4-0. 07/24/12

#### TASK FORCE GUIDELINES

Commissioner Fleck moved, Mathews seconded, to approve the guidelines for the Pedestrian/Vehicle Task Force. Motion passed 4-0. 07/24/12

#### IFA PORT PLANNING & MARKETING GRANT STRATEGIC BUSINESS PLAN/CAPITAL FACILITIES PLAN

Commissioner Chuck moved, Fleck seconded, to approve the IFA PP&M Grant. Motion passed 4-0. 07/24/12

#### PERSONAL SERVICES CONTRACT STRATEGIC BUSINESS PLAN/CAPITAL FACILITIES PLAN BENKENDORF ASSOCIATES CORP

Commissioner Mathews moved, Chuck seconded, to approve the contract. Motion passed 4-0. 07/24/12

#### AMENDMENT NO. 21—GENERAL CONDITIONS

Commissioner Jincks moved, Chuck seconded, to approve Amendment No. 21. Motion passed 3-0. 08/28/12

#### AMENDMENT NO. 22—REMAINING WORK ON EAST DOCK

Commissioner Chuck moved, Jincks seconded, to approve Amendment No. 21. Motion passed 3-0. 08/28/12

#### STATUTORY QUITCLAIM DEED & RELEASE OF PORTION OF WATER PIPELINE EASEMENT

Commissioner Mathews moved, Jincks seconded, to approve statutory quitclaim deed and release portion of water pipeline easement. Motion passed 4-0. 08/28/12

#### CITY OF NEWPORT PUBLIC UTILITY EASEMENT

Commissioner Chuck moved, Jincks seconded, to approve City of Newport Public Utility Easement. Motion passed 4-0. 08/28/12

#### IFA PORT PLANNING & MARKETING GRANT APPLICATION—YAQUINA BAY OCEAN TECHNOLOGY CENTER

Commissioner Jincks moved, Chuck seconded, to authorize submittal of grant application. Motion passed 4-0. 08/28/12

PACIFIC HABITAT SERVICES CONTRACT—PERMIT APPLICATION & WETLAND CONSULTING SERVICES AT MCLEAN POINT

Commissioner Chuck moved, Mathews seconded, to authorize contract. Motion passed 4-0.

08/28/12

SEAFOOD CONSUMER CENTER LEASE

Commissioner chuck moved, Mathews seconded, to approve lease. Motion passed 4-0.

08/28/12

FORKLIFT PURCHASE

Commissioner Mathews moved, Jincks seconded, to authorize forklift purchase for South Beach Marina. Motion passed 4-0.

08/28/12

SURPLUS DECLARATION—DAEWOO G25E3 FORKLIFT

Commissioner Jinks moved, Chuck seconded, to declare Daewoo forklift surplus. Motion passed 4-0.

08/28/12

ELECTRIC VEHICLE BURDEN CARRIER PURCHASE NOAA MOC-P FACILITIES MANAGEMENT VEHICLE

Commissioner Chuck moved, Jincks seconded, to approve purchase of burden carrier vehicle. Motion passed 4-0.

08/28/12

OCZMA DESIGNATED REPRESENTATIVE & ALTERNATE

Commissioner Chuck moved, Jincks seconded, to designate Commissioner Chuck as representative/Don Mann as alternate. Motion passed 4-0.

08/28/12

AMENDMENT NO. 23—RO-RO DOCK MODIFICATION

Commissioner Jincks moved, Fleck seconded, to approve Amendment No. 23. Motion passed 5-0.

09/25/12

AMENDMENT NO. 24—2012 DREDGING

Commissioner Fleck moved, Jincks seconded, to approve Amendment No. 24. Motion passed 5-0.

09/25/12

AMENDMENT NO. 25—WEST WALL, DOLPHIN

Commissioner Jincks moved, Mathews seconded, to approve Amendment No. 25. Motion passed 5—0.

09/25/12

ACCOUNTING SOFTWARE PURCHASE

Commissioner Jincks moved, Chuck seconded, to authorize new accounting software not to exceed \$14,000. Motion passed 5-0.

09/25/12

AUDIT F/Y ENDING JUNE 30 2012

Commissioner Chuck moved, Mathews seconded, to approve the audit for F/Y ending June 30 2012 as presented. Motion passed 4-0. 10/30/12

OPPA PROPOSAL ON HOW TO REACH CONSENSUS FOR FUNDING PROJECTS  
Commissioner Chuck moved, Mathews seconded, to accept the proposal in draft form. Motion passed 4-0. 10/30/12

OREGON BREWING COMPANY AMENDMENT TO LEASE  
Commissioner Mathews moved, Jincks seconded, to approve the lease amendment to include the manufacture of wine. Motion passed 4-0. 10/30/12

#### DESIGNATION OF SPECIAL DISTRICT REGISTERED OFFICE AND REGISTERED AGENT

Commissioner Mathews moved, Fleck seconded, to designate John Russell, Western States Insurance Agency, as the Special Districts registered agent of record and the Port's designated insurance agent. Motion passed 4-0. 11/27/12

#### REINO RANDALL LEASE

Commissioner Fleck moved, Mathews seconded, to authorize the General Manager to work with Reino Randall on the dissolution of his lease and pursue the relocation of the boat house. Motion passed 4-0. 11/27/12

#### ROAD & DRIVEWAY CONTRACT FOR RIP-RAP RESTORATION

Commissioner Chuck moved, Fleck seconded, to authorize the General Manager to enter into a contract with Road & Driveway for rip-rap restoration on the McLean Point peninsula. Motion passed 4-0. 11/27/12

#### NEWPORT MARINA STORES & CHARTERS LEASE AMENDMENT

Commissioner Fleck moved, Chuck seconded to approve the lease amendment for Newport Marina Store & Charters. Motion passed 4-0. 11/27/12

#### PORT OF NEWPORT EMERGENCY RESPONSE PLAN

Commissioner Chuck moved, Fleck seconded, to approve the Port's Emergency Response Plan. Motion passed 4-0. 11/27/12

#### CWACT NOMINATION OF MEMBERS

Commissioner Chuck nominated Commissioner Don Mathews as the primary representative and Maureen Keeler was appointed as alternate representative. There was no vote taken. 12/28/12

#### STRATEGIC BUSINESS PLAN/CAPITAL FACILITIES PLAN

Commissioner Chuck moved, Mathews seconded, to adopt and approve the Strategic Business Plan and Capital Facilities Plan. Motion passed 5-0. 01/22/13

#### PEDESTRIAN/VEHICLE SAFETY PLAN TASK FORCE RECOMMENDATIONS

Commissioner Fleck moved, Jincks seconded, to accept the Safety Plan Task Force recommendations. Motion passed 5-0. 01/22/13

PORT DOCK 7 PILING—TRANSFER OF FRUNDS NOT TO EXCEED \$27,500  
Commisisoner Jincks moved, Fleck seconded, to authorize the General Manager to transfer funds, not to exceed \$27,500, from the Maintenance Reserve Fund to the Operating Fund for the purpose of replacing piling at Port Dock 7. Motion passed 5-0. 01/22/13

TERMINAL RENOVATION PROJECT AMENDMENT NO 26  
Commissioner Jincks moved, Chuck seconded, to approve Amendment No. 26 to the contract between the Port and NMC. Motion passed 4-0. 02/25/13

LONG TERM DEBT REFINANCE, RESOLUTION 01-2013  
Commissioner Chuck moved, Fleck seconded, to authorize Don Mann to execute Resolution 01-2013 refinancing existing debt and taking on additional debt not to exceed the amount of \$950,000. Motion passed 4-0. 02/26/2013

ADOPT SUPPLEMENTAL BUDGET  
Mark Collson moved, Ron Benfield seconded, to approve the supplemental budget recommendation. Motion passed unanimously. 04/05/13

TERMINAL RENOVATION PROJECT AMENDMENT NO. 27  
Commissioner Jincks moved, Mathews seconded, to approve Amendment No. 27 to the contract between the Port and NMC. Motion passed 5-0. 04/23/113

TERMINAL RENOVATION PROJECT AMENDMENT NO. 28  
Commissioner Chuck moved, Jincks seconded, to approve Amendment No. 28 to the contract between the Port and NMC. Motion passed 5-0. 04/23/13

FISH WASTE MANAGEMENT PROJECT  
Commissioner Jincks moved, Fleck seconded, to authorize the use of approximately \$27,000 from the Maintenance Reserve Fund for the Fish Waste Managementr Project. Motion passed 5-0. 04/23/13

PROFESSIONAL SERVICES REGARDING TEEVIN BROS LEASE—HAGLUND, KELLEY, JONES & WILDER LCC  
Commissioner Mathews moved, Chuck seconded, to authorize the General Manager to enter into a professional services contract with the law firm of Haglund, Kelley, Jones & Wilder, LLC not to excee 100 hours of \$25,000. Motion passed 5-0. 04/23/13

PORT ORDINANCE NO. 1-2013, PORT FACILITIES CODE

Commissioner Chuck moved, Jincks seconded, to accept and approve Port Ordinance No. 1-2013, which updates the Port Facilities Code. Motion passed 5-0. 05/28/13

#### INCREASE MATERIALS & SERVICES F/Y 2013-14.

Commissioner Chuck moved, Fleck seconded, to increase the General Operating budget for F/y 2013-14 by \$25,000 in the Materials & Services category. Motion passed 5-0.

06/25/13

#### RESOLUTION 2-2013 ADOPTING BUDGET, MAKING APPROPRIATIONS, AND LEVYING TAXES FY 2013-2014

Commissioner Jincks moved, Chuck seconded, to approve Resolution 2-2013. Motion passed 5-0. 06/25/13

#### OFFICIAL ABSTRACT OF VOTES

Commissioner Fleck moved, Chuck seconded, to approve the official abstract of votes for the May 21, 2013 special election. Motino passed 5-0. 06/25/2013

#### PORT EMPLOYEES FLEXIBLE BENEFITS PLAN & HEALTH REIMBURSEMENT PLAN—AUTHORIZE GENERAL MANAGER TO SIGN AGREEMENT TO MOVE EXISTING PLANS TO ALLEGIANCE FLEX ADVANTAGE.

Commissioner Fleck moved, Mathews seconded, to authorize the General Manager to sign the agreement. Motion passed 5-0. 06/25/13

#### LEISURE INTERACTIVE INTEGRATED RESERVATION MANAGEMENT SYSTEM PROPOSAL.

Commissioner Jincks moved, Chuck seconded, to approve the proposal for the Leisure Interactive Reservation Management System. Motion passed 5-0. 06/25/13

#### COASTCOM, INC FIBEROPTIC INTERNET SERVICE FOR SOUTH BEACH

Commissioner Chuck moved, Fleck seconded, to authorize the Finance Director to pursue a contract with CoastCom for fiberoptic internet service at the South Beach facility. Motion passed 5-0. 06/25/13

#### CONTRACT EXTENSION DAY CPM

Commissioner Jincks moved, Mathews seconded, to authorize the General Manager to extend the contract between the Port and Day CPM, not to exceed \$35,000, to February 2014. Motion passed 5-0. 06/25/13

#### ELECTIONS OF OFFICERS

Commissioner Jincks moved, Olson seconded, slate of officers: Barton, President; Jincks, Vice President; Chuck, secretary; Olson, Treasurer; Fleck, Asst. Sec-Treasurer. Motion passed 4-0. 07/23/13

#### JOB DESCRIPTION GENERAL MANAGER

Commissioner Jincks moved, Olson seconded, to approve job description, benefits package, and process timeline for GM position. Motion passed 4-0. 07/23/13

#### TERMINAL RENOVATION PROJECT AMENDMENT NO. 29

Commissioner Jincks moved, Chuck seconded, to approve Amendment No. 29 to the contract between the Port and NMC. Motion passed 4-0. 08/27/13

#### GREAT ALBACORE TUNA BBQ CHALLENGE

Commissioner Jincks moved, Olson seconded, to return a check for half the proceeds, in the amount of \$3,008, to the Newport Food Pantry. Motion passed 4-0. 08/27/13

#### PROPOSED PROJECTS: COMMERCIAL MARIA HOIST DOCK FENDER PILE, PORT DOCK 7 ELECTRICAL PEDESTALS AND WIRING, SOUTH BEACH MARINA ASPHALT REPAIR

Commissioner Jincks moved, Olson seconded, to authorize expending funds from the Maintenance Reserve Fund for the three projects. Motion passed 4-0. 08/27/13

#### COMMERCIAL MARINA FORKLIFT PURCHASE

Commissioner Chuck moved, Olson seconded, to expend funds for a new forklift at the commercial marina. Motion passed 4-0. 08/27/13

#### AMENDMENT TO GENERAL MANAGER JOB DESCRIPTION

Commissioner Olson moved, Chuck seconded, to approve a change in the GM job description. Motion passed 3-0. 09/09/13

#### EXTENSION OF GENERAL MANAGER JOB ANNOUNCEMENT

Commissioner Olson moved, Chuck seconded, to approve the extension of the GM job announcement. Motion passed 3-0. 09/09/13

#### OLD PORT ADMINISTRATION OFFICE PAVING

Commissioner Chuck moved, Fleck seconded, to expend \$9,800 from the Maintenance Reserve Fund to fill and pave the old Port office site. Motion passed 4-0. 09/24/13

#### MCKAY LOT LINE ADJUSTMENT REQUEST

Commissioner Olson moved, Fleck seconded, to direct the General Manager to work with Ken McKay on making a lot line adjustment. Motion passed 4-0. 09/24/13

#### DECLARATION OF SURPLUS ITEMS

Commissioner Olson moved, Chuck seconded, to declare the 2000 Chevy S-10 pickup and 2008 4,000 Lb. Toyota Forklift surplus. Motion passed 4-0. 09/24/13

#### OLD PORT ADMINISTRATIVE OFFICE PAVING

Commissioner Chuck moved, Fleck seconded, to allow the General Manager to expend \$9,800 from the Maintenance Reserve Fund to fill and pave the old Port office building site. Motion passed 4-0. 09/24/13

#### LOT LINE ADJUSTMENT REQUEST—KEN MCKAY

Commissioner Olson moved, Fleck seconded, to direct the General Manager to work with Ken McKay on making a lot line adjustment. Motion passed 4-0. 09/24/13

#### DECLARATION OF SURPLUS ITEMS

Commissioner Olson moved, Chuck seconded, to declare a 2000 Chevy S-10 Pickup and a 4,000 lb. Toyota Forklift surplus. Motion passed 4-0. 09/24/13

#### AMENDMENT NO. 30, ADDITIONAL DREDGING

Commissioner Jincks moved, Fleck seconded, to approve Amendment No. 30 to the contract between the Port and Natt McDougall Co. and to authorize the board chair to execute that amendment. Motion passed 4-0. 10/22/2013

#### AMENDMENT TO FACILITIES CODE

Commissioner Jincks moved, Chuck seconded, to authorize the General Manager to amend the Facilities Code to reflect changes in the dimension of the dock boxes for the South Beach Marina. Motion passed 4-0. 10/22/13

#### INTERIM MANAGER CONTRACT

Commissioner Chuck moved, Jincks seconded, to authorize the board chair to sign an interim manager contract with Don Mann, not to exceed sixty days and with the same rate of pay and current benefit package. Motion passed 4-0. 10/22/13

#### INTERIM GENERAL MANAGER CONTRACT

Commissioner Fleck moved, Chuck seconded, to approve the draft contract between the Port of Newport and Don Mann for his services as Interim General Manager. Motion passed 3-0.

11/19/13

#### AMENDMENTS TO PORT FACILITIES CODE

Commissioner Chuck moved, Fleck seconded, to approve the recommended amendments to the Port Facilities Code. Motion passed 3-0. 11/19/13

#### BILLETER MARINE CONTRACT



Commissioner Fleck moved, Chuck seconded, to authorize the GM to execute the contract for Billeter Marine to perform maintenance dredging at the NOAA MOC-P pier. Motion passed 3-0. 11/19/13

#### WATER MAIN EASEMENT

Commissioner Chuck moved, Fleck seconded, to approve the Terminal Water Main Public Utility Easement between the Port and City. Motion passed 3-0. 11/19/13

#### GENERAL MANAGER CONTRACT

Commissioner Fleck moved, Jincks seconded, to offer the General Manager position to Kevin Greenwood, contingent upon successful employment agreement negotiations, an acceptable background check, and an acceptable reference check. Motion passed 4-0. 12/12/13

#### CASCADES WEST AREA COMMISSION ON TRANSPORTATION

Commissioner Barton was appointed as primary representative; Commissioner Jincks was appointed as alternative representative. 12/17/13

#### DISBURSEMENT FROM MAINTENANCE RESERVE FUND

It was consensus of the commission to make a disbursement, not to exceed \$22,800, from the Maintenance Reserve Fund for new hardware and whalers for F-Dock. 12/17/13

#### COMMISSION VACANCY POSITION 4

Commissioner Chuck moved, Fleck seconded, to fill the commission vacancy with Ken Brown.

Commissioner Jinck submitted a friendly motion to add the name of Dennis McManus to that of Ken Brown for the commission vote

Commissioner Chuck accepted the friendly motion.

Commissioner Fleck and Brown were opposed to adding applicant Dennis McManus' name for the vote. Commissioner Jincks was in favor. Commissioner Barton abstained.

Commissioners Chuck, Fleck, and Barton were in favor of confirming Ken Brown to fill Position 4. Commissioner Jincks abstained. Motion passed.

12/17/13

#### GENERAL MANAGER CONTRACT

Commissioner Chuck moved, Jincks seconded, to approve the final draft of the employment agreement between the Port of Newport and Kevin Greenwood. Motion passed 5-0. 01/13/14

#### RESOLUTION NAMING REGISTERED AGENT

Commissioner Jincks made a motion to approve a resolution naming a registered agent. Commissioner Chuck made the second. Motion passed 5-0.

02/25/14

**CARVER FUEL DOCK LEASE RENEWAL**

Commissioner Brown made a motion to authorize the GM to sign a lease extension with Carver Fuel. Commissioner Jincks made the second. Motion passed 5-0 02/25/14

**AWARD OF SOUTH BEACH WIFI INSTALLATION CONTRACT**

Commissioner Fleck made a motion to award a contract for \$11,000 to HC ETC Inc for WIFI services. Commissioner Brown seconded. Motion passed 5-0 02/25/14

**AWARD OF CONTRACT TO ADVANCE REMEDIATION TECHNOLOGY, INC**

Jincks motioned to authorize the General Manager to enter into a contract with Advance Remediation Technology for \$12,090.00 and no more and seconded by Chuck. Motion passed 5-0 03/11/14

**ADOPT BUDGET CALENDER, COMMITTEE & OFFICER FOR FY 2014-2015**

Fleck motioned to adopt the budget calendar, committee and officer for FY 2014-15. Jincks seconded. Motion passed 5-0 03/11/14