

**PORT OF HOOD RIVER COMMISSION**  
**Tuesday, April 15, 2014**  
**Marina Center Boardroom**  
**5:00 p.m.**

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**Ordinance 24 Public Hearing 5:00 – 5:30 PM**  
**Regular Session Agenda**

1. Call to Order
  - a. Modifications, Additions to Agenda

**--Open Public Hearing Regarding Ordinance 24--**

2. Public Comment (5 minutes per person per subject; 30 minute limit)
3. Consent Agenda
  - Approve Minutes of April 1, 2014 Regular Session Meeting
  - Authorize Amendment No. 2 to the License Agreement with the Hood River Juice Company
  - Authorize Addendum No. 1 to the Double Mountain Lease in the Maritime Building
  - Authorize One-Year Lease with Twin Peaks for the Gravel Lot on Tucker Road
  - Ratify Approval of Accounts Payable to City of Portland in the Amount of \$8,000
4. Reports, Presentations and Discussion Items
  - Ordinance 24 Regarding Conduct on Port Property  
(First Reading of Ordinance No. 24 Regulating Conduct on Port Property and Repealing Ordinance No. 22.)
    - Public Comment Related to Ordinance 24
  - Oregon State Treasury Board Recommendations
5. Director's Report/Informational Items
6. Commissioner, Committee Reports
  - Marina Ad-hoc Committee – Davies
  - Urban Renewal Agency – Shortt/Streich
7. Action Items
  - a. Authorize Art Installation Agreement with Art of Community Not to Exceed \$1,500 Subject to Legal Counsel Review
  - b. Authorize License Agreement with Art of Community for Art Installation on the Waterfront Subject to Legal Counsel Review
  - c. Approve Contract Amendment No. 1 with Berger ABAM Not to Exceed \$5,000 for Planning Services
8. Commission Call

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9. Executive Session under ORS 192.660(2)(e) Real Property

10. Possible Action

11. Adjourn

If you have a disability that requires any special materials, services, or assistance, please contact us at 541-386-1645 so we may arrange for appropriate accommodations.

*The chair reserves the opportunity to change the order of the items if unforeseen circumstances arise. The Commission welcomes public comment on issues not on the agenda during the public comment period. With the exception of factual questions, the Commission does not immediately discuss issues raised during public comment. The Commission will either refer concerns raised during public comment to the Executive Director for a response or will request that the issue be placed on a future meeting agenda. People distributing copies of materials as part of their testimony should bring **10 copies**. Written comment on issues of concern may be submitted to the Port Office at any time.*

**Port of Hood River Commission  
Meeting Minutes of April 1, 2014 Regular Session  
Marina Center Boardroom  
5:00 PM**

**THESE MINUTES ARE NOT OFFICIAL until approved by the Port Commission at the next regular meeting.**

**Present:** Commissioners Jon Davies, Fred Duckwall, Brian Shortt and Hoby Streich; Attorney Jerry Jaques; from staff, Michael McElwee, Fred Kowell, Anne Medenbach and Mellissa Halseth

**Absent:** Commissioner Rich McBride

**Media:** None

**1. CALL TO ORDER:** Vice-President Brian Shortt called the meeting to order at 5:00 p.m.

**a. Modifications, Additions to Agenda:** None.

**2. PUBLIC COMMENT:** Linda Maddox spoke on issues discussed during the Spring Planning Work Session. She wanted to remind the Commission that tax increment financing for Lot 1 would not be available through Urban Renewal for five years. She is opposed to parking meters on the waterfront and suggests the Port and City work towards a pass that would allow parking in various locations. Maddox said she did not support a legislative process to prepare a waterfront Master Plan and suggests addressing each project separately so that the impacts of projects can be seen. She suggested blocking off Slackwater Beach for a season to see the effect and what other locations users will choose to use. Maddox would like to see the Port consider using the Barman property for parking. She would also like to see parking on both sides of 1<sup>ST</sup> Street when Lot 1 is developed.

**3. CONSENT AGENDA:**

- o Approve Minutes of March 20, 2014 Spring Planning and Regular Session Meetings
- o Ratify Amendment No. 1 to Contract with simp.L in the Amount of \$1,728

**Motion:** Move to Approve Consent Agenda

**Move:** Duckwall

**Second:** Streich

**Vote:** **Aye:** Davies, Duckwall, Shortt and Streich

**Absent:** McBride

**MOTION CARRIED**

**4. REPORTS, PRESENTATIONS AND DISCUSSION ITEMS:**

- None.

**5. DIRECTOR'S REPORT:** McElwee highlighted the following areas:

- Staff & Administration – Paul Koch, Port of Cascade Locks is leading the Economic Development Coalition with assistance from McElwee. A meeting with the Columbia Gorge Commission is scheduled for April 8 where there will be a combined presentation. Participants in the coalition are generally supportive of the idea, but some entities have provided some push back. Consensus was for McElwee to continue to participate and to report back regularly. Gary Rains resigned from the Port of Cascade Locks and they would like to consider coordinating marketing efforts in the future. McElwee will coordinate a meeting to discuss the Urban Renewal loan agreements.
- Waterfront Recreation – The LGGP grants are due April 4. The next Nichols Basin West Edge meeting is scheduled for April 16 where a final design will be presented.
- Bridge/Transportation – ODOT responded to landslide notification issues. The navigation lights on the bridge are scheduled to be repaired Monday, April 7. There will be one-lane closures for the day. Speed limit sign has been ordered and should be installed by May 1. The Port of Cascade Locks has increased the toll for trucks 3-axles and above.

**6. Commissioner, Committee Reports:**

- Urban Renewal – Commissioner Streich reported on a special meeting that he did not attend. The resolution to borrow the funds for the 1<sup>ST</sup>/Front Street project.

**7. ACTION ITEMS:**

**a) Authorize Contract with Flowing Solutions for Engineering Services Associated with the Hook Launch Project in an Amount Not to Exceed \$9,945 Plus Reasonable Reimbursable Expenses:** The scope of work would take the project through the bid process. The drawings will be added to the City Outfall project bid documents.

**Motion:** Move to Authorize Contract with Flowing Solutions for Engineering Services Associated with the Hook Launch Project in an Amount Not to Exceed \$9,945 Plus Reasonable Reimbursable Expenses

**Move:** Davies

**Second:** Duckwall

**Vote:** **Aye:** Davies, Duckwall, Shortt and Streich

**Absent:** McBride

**MOTION CARRIED**

**b) Authorize a Revised Contract with Blackline, Inc. for Slurry Crack and Seal Repairs in an Amount Not to Exceed \$85,110:** The previous contract that was approved at the March 20 meeting was budgeted low and it has been confirmed that the project can now be completed in the 2014 budget cycle.

**Motion:** Move to Authorize a Revised Contract with Blackline, Inc. for Slurry Crack and Seal Repairs in an Amount Not to Exceed \$85,110

**Move:** Duckwall

**Second:** Streich

**Vote:** **Aye:** Davies, Duckwall, Shortt and Streich

**Absent:** McBride

**MOTION CARRIED**

**8. COMMISSION CALL:** Commissioner Davies toured Congressman Walden's office and said staff told him the space turned out nicely.

**9. EXECUTIVE SESSION:** Regular Session was recessed at 5:40 p.m. and the Commission was called into Executive Session under ORS 192.660(2)(e) Real Property. The Commission was called back into Regular Session at 6:43 p.m. There was no action as a result of Executive Session.

**10. ADJOURN:** Vice-President Shortt adjourned the meeting at 6:43 p.m.

Respectfully submitted,

\_\_\_\_\_  
Mellissa Halseth

ATTEST:

\_\_\_\_\_  
Rich McBride, President, Port Commission

\_\_\_\_\_  
Hoby Streich, Secretary, Port Commission

# Commission Memo

**To: Commissioners**  
**From: Michael McElwee**  
**Date: April 15, 2014**  
**Re: Parking Use Agreement with HRJCO**

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On October 25, 2013 a License Agreement was amended allowing the Hood River Juice Company (HRJCO) to use Port property at the corner of 2<sup>nd</sup> and Riverside on the Waterfront for truck staging and parking and materials storage until April 25, 2014. HRJCO has requested that the License Agreement now be extended for an additional six months per the attached Amendment No. 2.

**RECOMMENDATION:** Authorize Amendment No. 2 to the License Agreement with the Hood River Juice Company.



AMENDMENT NO. 2 TO  
LICENSE GRANTED BY PORT OF HOOD RIVER  
TO HOOD RIVER JUICE COMPANY, INC.

**Waterfront Business Park**

**WHEREAS**, on July 25, 2013 a License ("License") was executed between the Port ("Port") of Hood River and Hood River Juice Company, Inc. ("HRJCO") to park HRJCO trucks and trailers on Tax Lot 100 and Parcel 1; and

**WHEREAS**, the License allowed that the term may be extended by the Port Executive Director for up to six months if an amendment to the License is executed by both parties; and

**WHEREAS**, the License term was extended by the Port Executive Director for six months until April 25, 2014 after an amendment to the License was executed by both parties; and

**WHEREAS**, both parties desire to extend the License for an additional six months with Port Commission approval;

**NOW THEREFORE**, the License dated July 25, 2013 and extended for six months from October 25, 2013 through April 25, 2014 shall be further extended an additional six months until October 25, 2014. All other terms and conditions shall remain in full force and effect.

**Dated:** \_\_\_\_\_, **2014**

**Port of Hood River**

**Hood River Juice Company, Inc.**

**By:** \_\_\_\_\_  
**Michael S. McElwee**

**By:** \_\_\_\_\_  
**Robert Francis**

**Title:** Executive Director

**Title:** Chief Operating Officer

# Commission Memo

**To: Commissioners**  
**From: Anne Medenbach**  
**Date: April 15, 2014**  
**Re: Double Mountain - Lease Addendum No. 1**

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Double Mountain Brewery currently leases 12,100 sf of warehouse space in the Maritime Building. This addendum addresses two typographical errors in the language of the lease, as follows; the changes do not modify the intent or term of the lease.

Language in paragraph 5 refers to a paragraph that is no longer in the lease. The lease termination date is stated as 2019 when it should be 2017.

**RECOMMENDATION:** Authorize Addendum No. 1 to the Double Mountain lease in the Maritime Building.

**ADDENDUM NO. 1 TO LEASE**

Whereas, the Port of Hood River ("Lessor") and Double Mountain L.L.C., ("Lessee") entered into a lease of 4,000 square feet at the Maritime Building, effective July 1, 2012 ("Lease"); and,

Whereas, the leased premises expanded by 8,497 sf to a total of 12,100 sf as of December 1, 2012, and,

Whereas, Language in paragraph 5 of this lease states: "Reconfigured Premises: December 1, 2012 (or earlier if the Lessor Improvements described in paragraph 6 are completed) through June 29, 2019", and,

Whereas, there is no paragraph 6 that describes improvements, and, the lease terminates as of June 29, 2017; now

Therefore, Lessor and Lessee agree that the first sentence in paragraph 5 of the lease is hereby modified to read:

"Reconfigured Premises: December 1, 2012 through June 29, 2017 (12,100 square feet).

Unless inconsistent with the modifications above, all terms of the Lease shall remain in full force and effect.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2014.

By: \_\_\_\_\_  
Michael S. McElwee, Port of Hood River, Executive Director

By: \_\_\_\_\_  
Matt Swihart, Double Mountain, LLC, Manager

## Commission Memo

**To:** Commissioners  
**From:** Anne Medenbach  
**Date:** April 15, 2014  
**Re:** Twin Peaks Drive In

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Twin Peaks restaurant would like to lease the Port lot adjacent to their building to the south (lot 5000). They would like to use this lot for cruise ins and customer parking.

The Commission discussed a lease for the amount of \$300 per month for a 1 year term with no extensions. Staff brought this amount back to Twin Peaks Drive In, who indicated that as new owners, the \$300 amount was too much. Staff and Twin Peaks Drive In agreed that \$150 would be a reasonable amount for both parties.

The lot currently does not generate any income and is parked with privately owned vehicles for sale. Leasing this property would increase revenue and keep the lot free of non-policed for sale vehicles.

**RECOMMENDATION:** Authorize a 1 year lease of the lot located on the corner of Tucker Road and Hays Drive to Twin Peak Drive In.



# Lease Term Sheet

Lot 5000

Prepared: April 15, 2014

<b>TENANT:</b>	<b>Twin Peaks</b>
<b>USES:</b>	Overflow parking and classic cruise
<b>AREA:</b>	10,018 sf
<b>RATE:</b>	\$150/mo
<b>RATE ADJUSTMENT:</b>	
<b>TERM:</b>	One (1) year term with no extensions.
<b>COMMISSION:</b>	None.
<b>NNN COSTS:</b>	No utilities are associated with the property.
<b>JOBS:</b>	0
<b>BUILDING IMPROVEMENTS:</b>	No improvements allowed unless approved by the Commission.
<b>MAINTENANCE:</b>	Tenant pays all maintenance costs including: snow plowing and dust control
<b>COMMENTS:</b>	This is the vacant lot next to Twin Peaks, currently used as an unpoliced car sale lot.



# Commission Memo

**To:** Commissioners  
**From:** Fred Kowell  
**Date:** April 15, 2014  
**Re:** Accounts Payable Requiring Commission Approval

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<b>City of Portland</b>	<b>\$8,000.00</b>
Purchase of 2003 Freightliner Dump Truck for the Maintenance Department	
<b>TOTAL ACCOUNTS PAYABLE TO RATIFY</b>	<b><u>\$8,000.00</u></b>



Invoice

PO Number:	R4042014
Invoice:	10150692
Invoice Date:	04/08/2014
Due Date:	05/08/2014
Customer Account:	541749

City of Portland  
 CityFleet  
 TIN 93-6002236  
 1120 SW Fifth Ave Rm 1204  
 Portland OR 97204-1912

Contact Information:	Judy Green 503-823-6943 Judy.Green@portlandoregon.gov
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Bill-to:	Port of Hood River 1000 East Port Marina Dr Hood River OR 97031
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Sold-to:	Port of Hood River 1000 East Port Marina Dr Hood River OR 97031
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Item	Billing Period	Service/Description	Quantity	Unit Price	Extended Price
10		1901 Sale of 2003 Freightliner FL70 5/6 Yd Dump Truck Equipment #034205 License E258785 VIN #1FVABUBSX3DL06175	1.000	8,000.00/EA	8,000.00

*Judy Green*  
4/9/14  
1470

Total Due: \$ 8,000.00

Message to Customer:	
Terms and Conditions:	Notice is hereby given that in the event this obligation due the City of Portland (City) is not paid, the City reserves the right to assign the debt to a private collection agency for collection. Pursuant to ORS 697.105, if this obligation is assigned for collection, the collection agency fee of 23% of the amount due may be added to the amount due, and shall be payable by you. *The City intends to assign this obligation for collection on or after 90 days from original invoice date.

Please include this portion with your payment

Invoice	10150692
Customer	541749
Customer Name	Port of Hood River

Amount Due	\$ 8,000.00
Due Date	05/08/2014
Amount Enclosed	

Please make check payable to

CITY OF PORTLAND
Attn: Accounting Division
1120 SW Fifth Ave Rm 1250
Portland, OR 97204

Check here if new mailing address. Note changes on reverse.





# Commission Memo

**To: Commissioners**  
**From: Liz Whitmore**  
**Date: April 15, 2014**  
**Re: Ordinance 24 – Public Hearing #1**

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As activity along the waterfront changes over time, there is a need to update and revise the Port's ordinance regulating conduct on Port property. While not significant, staff and legal counsel are proposing changes to the ordinance that will address issues associated with the current use of Port property. Please see attached for revisions (shown highlighted) to Ordinance 22, which going forward will be designated Ordinance 24. The goal of the revised ordinance is to create regulation that has built-in flexibility to allow changes to time and place of activities on Port property. Ordinance 24 now contains three sections including *Generally Applicable Regulations* that are not expected to change, *Site Specific Regulations* that will be implemented by official signage and may change when necessary, and *Enforcement*.

The following items have been deleted from the ordinance:

- Section 22. Marina Boat Basin: Removed language regarding boat maintenance and repairs not being permissible. Boat owners often do routine light maintenance on boats.
- Section 25. Pedestrian Bridge: Removed language that riding a bike over bridge is not permissible. Bicyclists use care when riding over bridge.
- Deleted section on Providing Identification. Per legal counsel, Port does not need to require identification to be provided by members of the public if requested.
- Deleted section on Port Regulations. Redundant information not necessary in ordinance.
- Deleted section on Declaration of Emergency. Flexibility of ordinance makes this previous section unnecessary.

The process to adopt Ordinance 24 must include two public hearings and then a Commission vote to adopt. Ordinance 24 will go into effect 30 days after adoption.

**RECOMMENDATION:** For discussion.

## ORDINANCE NO. 24

### AN ORDINANCE REGULATING CONDUCT ON PORT PROPERTY AND REPEALING ORDINANCE NO. 22

The Port of Hood River ordains as follows:

**SECTION 1. Scope of Ordinance.** This ordinance regulates conduct on Port land, Port waterways and Port structures.

**SECTION 2. Definitions.** Unless the context requires otherwise, for purposes of this ordinance the following definitions apply:

“Board” means Port of Hood River Board of Commissioners.

“Boat Launch” means the concrete ramp on the east side of the Marina Boat Basin.

“Camp” means erecting a tent or shelter, arranging bedding or occupying a parked vehicle, trailer or camper for purposes of, or in such a way as will permit, sleeping or remaining overnight.

“Commercial Activity” means any activity directed to the general public or between two or more persons or entities undertaken for profit or personal gain.

“Dock” means a wharf or platform for loading or unloading people or materials.

“Event Site” means Port Property which includes an improved vehicular parking area and beach access to the Columbia River, located north of Portway Avenue, west of the Nichols Basin inlet, south of the Columbia River, and east of the Jensen building.

“Executive Director” means the person the Board has appointed to act as the general manager of all Port operations.

“Hook” means Port Property which includes a peninsula located east of Wells Island, north of Interstate 84, and south of the Columbia River.

“Interstate Bridge” means the bridge owned by the Port which crosses the Columbia River from Hood River, Oregon to Washington.

“Kiteboarding” means pumping/drying kites, carrying inflated kites, rigging or attaching lines, launching and landing.

“Lot 1” means the undeveloped lot east of Second Street, south of Portway Avenue, and west and south of a road leading from the north end of Portway Avenue south to Second Street.

“Marina Beach” means Port Property located east of the Hood River and north of the Marina Park.

“Marina Boat Basin” means the water inlet located north of the Marina Green and east of the Marina Park, used for launching and moorage of boats and pontoon airplanes, with access to the Columbia River.

“Marina Boat Basin Area” means Port Property located west of the Interstate Bridge approach road, south of the Marina Beach, east of the Hood River and north of Interstate 84.

“Marina Green” means Port Property which includes a grass recreation field located south of the Marina Boat Basin and north of Interstate 84.

- “Marina Park” means the park setting and picnic shelter located east of the Hood River and west of the Marina Boat Basin.
- “Nichols Basin” means the water inlet north of Interstate 84, which runs south to north along the western boundary of the Spit, with access to the Columbia River.
- “Official Sign” means all signs, signals, markings, devices and placards placed, erected or provided by the Port for the purpose of guiding, directing, warning or regulating vehicular or boat traffic or personal conduct.
- “Overnight” means between 10:00 p.m. and 6:00 a.m.
- “Peace Officer” means a peace officer appointed by the Board pursuant to ORS 777.190, or a peace officer as defined in ORS 161.015.
- “Pedestrian Bridge” means the bridge owned by the Port of Hood River intended for pedestrian use which crosses the Hood River from the Marina Boat Basin Area to the Spit.
- “Port” means Port of Hood River. Any action attributed to the Port by this Ordinance shall be an action by a Port employee, the Board, or their designee.
- “Port Employee” means a Port employee paid a salary by the Port, or a Port employee in a full year, full time position paid wages by the Port when working for the Port, but does not include a person employed by the Port part time or on a seasonal basis. A Port employee shall have authority to carry out acts contemplated by this ordinance, and for purposes of regulating activities on Port Property shall be a “person in charge” as defined in ORS 164.205(5).
- “Port Property” means all real property in Hood River County, Oregon owned or controlled by the Port, and the Interstate Bridge.
- “Sandbar” means the area, north and west of the Spit, created by the outflow of the 2006 winter storm plus any additional accretion, and owned by the Department of State Lands.
- “Spit” means Port Property which is a peninsula located north of Interstate 84, west of the Hood River, east of the Nichols Basin and south from the Columbia River including exposed land in the Columbia River which is occasionally submerged.
- “Transient Dock” means Port Property located west of the Boat Launch and used for temporary tie-up and limited overnight moorage.
- “Vehicle” means every motorized device intended to carry people.

### **GENERALLY APPLICABLE REGULATIONS**

**SECTION 3. Commercial Activity.** No person shall engage in any Commercial Activity on Port Property without the prior approval of, and under the terms and conditions prescribed by the Port.

**SECTION 4. Littering.** No person shall litter on Port Property. For purposes of this section littering is defined as the dumping, throwing, placing, depositing or leaving, or causing to be dumped, thrown, deposited or left any refuse of any kind or any object or substance which tends to pollute, mar or deface.

**SECTION 5. Vegetation.** No person shall remove vegetation on Port Property without written permission from the Port.



**SECTION 6. Fireworks.** No person shall ignite fireworks or similar incendiary devices of any kind on Port Property, whether legally allowed in Oregon or not.

**SECTION 7. Animal Control.** No person shall bring an animal onto Port Property, or allow an animal to be on Port Property, except when the animal is leashed and under the control of an adult. However, at the Hook dogs are allowed off leash one hour before and after sunrise and one hour before and after sunset, and at the Spit dogs are allowed off leash one hour before and after sunrise, if the Hood River County Dog Control ordinance which regulates dogs running at large allows a dog to be off leash and the person with the dog is in compliance with the provisions of the Hood River County Dog Control ordinance.

**SECTION 8. Animal Waste.** No person shall allow the feces of an animal in that person's care to remain anywhere on Port Property other than in a garbage or sanitary sewer receptacle.

**SECTION 9. Launching Boats.** No person shall launch a motorized watercraft from Port Property except at the Marina Boat Basin.

**SECTION 10. Camping.** No person shall camp on Port Property between the hours of 10:00 p.m. and 6:00 a.m.

**SECTION 11. Hunting.** No person shall discharge firearms, hunt, or attempt to trap animals on Port Property.

**SECTION 12. Fires.** No person shall build or attempt to build a fire on Port Property.

**SECTION 13. Kiteboarding.**

*Location Restrictions:*

No person shall launch or operate a kiteboard or training kite from Port Property other than at the following locations:

- a. An area where the activity is permitted by an Official sign.
- b. Marina Green, Lot 1 and Marina Beach, except when prohibited by an Official Sign.

*Safety Restrictions:*

No person shall launch or operate a kiteboard or training kite from Port Property, including where permitted under subsection a. of this Section 13, after a Port employee requests the person not do so if the Port Employee has reasonable grounds to believe that activity may conflict with or impair other permitted uses on Port Property or may pose a hazard to others.

**SECTION 14. Vehicle Parking and Passes.**

- a. *Parking:* No person shall park or store a vehicle on Port Property in violation of an Official Sign or request of a Port employee. No person shall park a vehicle overnight anywhere on Port Property unless expressly authorized by the Port. Parking is not permitted in areas where curbs are painted red. Vehicles of violators may be towed at the vehicle owner's expense.



- b. *Event Site Parking Passes*: No person shall park at the Event Site without a pass issued by the Port when a person the Port has hired is staffing the booth. Annual parking passes must be affixed to the windshield; daily/weekly passes must be visible on dashboard.

**SECTION 15. Vehicle Speed.** No person shall operate a vehicle at a speed in excess of 15 miles per hour in the Marina Boat Basin Area or at the Hook, or in excess of 25 miles per hour on other Port Property, unless an Official Sign is posted in an area of Port Property authorizing a different maximum speed, in which event the speed designated on the Official Sign shall be the maximum speed allowed.

**SECTION 16. Vehicles on Paths or Off Roads.** No person shall operate a vehicle on any pedestrian path located on Port Property, with the exception of motorized wheelchairs and similar devices, Port maintenance vehicles, and emergency vehicles. No person shall drive or park a vehicle on Port Property off of designated roads or parking areas.

**SECTION 17. Official Signs.** No person shall engage in any conduct in violation of instructions or prohibitions appearing on an Official Sign on Port Property.

**SECTION 18. Use of Port Utilities.** No person shall connect an electrical device of any kind to a Port electrical power outlet or in any other manner use or interfere with electricity or water supplied to or by the Port on Port Property.

**SECTION 19. Fees.** No person shall refuse nor neglect to pay a fee or charge established by the Board or Executive Director for use of Port Property, Port facilities or Port services, when due.

**SECTION 20. Port Permission.** No person may violate this ordinance unless the person is given express permission to do so at a specific time or for a specific purpose by the Board or a Port employee, or an activity is allowed by an Official Sign. Such permission shall apply only to the expressly stated particular time, event, or activity.

### **SITE-SPECIFIC REGULATIONS**

**SECTION 21. Boat Launch and Transient Dock.**

- a. No person shall park a vehicle in the Boat Launch parking lot overnight.
- b. No person shall dock a boat under 26 feet long to the Transient Dock for more than three consecutive nights.
- c. No person shall dock a boat 26 feet or longer to the Transient Dock for more than ten consecutive nights in a 30 day period.

**SECTION 22. Marina Boat Basin.** All Marina Boat Basin tenants shall comply with the conditions of their moorage agreement with the Port. Unless otherwise allowed or prohibited by an Official Sign, the following activities are prohibited in the Marina Boat Basin or Marina Boat Basin Area:

- a. No person shall jump or dive into, swim in, windsurf, or kiteboard in the Marina Boat Basin.
- b. No person shall operate a boat, an airplane or any other type of watercraft in the Marina Boat Basin at a speed in a manner which causes a wake.
- c. No person shall clean fish in the Marina Boat Basin or Marina Boat Basin Area.
- d. No person shall stay overnight on a boat or boathouse moored in the Marina Boat Basin for more than three consecutive nights.
- e. No parent, guardian, or person having custody or control of a child under the age of 18 years shall allow the child to be in a moored boat or boathouse in the Marina Boat Basin unaccompanied by an adult.

**SECTION 23. Marina Park.**

- a. No person shall be present in Marina Park between the hours of 10:00 p.m. and 6:00 a.m.
- b. No person shall park a vehicle on Marina Green.

**SECTION 24. Marina Beach.** No person shall recreate or otherwise use the Marina Beach in violation of an Official Sign or request of the Port.

**SECTION 25. Pedestrian Bridge.** The following activities are prohibited on the Pedestrian Bridge.

- a. No person shall jump or dive from the Pedestrian Bridge.
- b. No person shall drive a vehicle on the Pedestrian Bridge with the exception of a motorized wheelchair or similar device and Port maintenance vehicles.

**SECTION 26. Spit.** No person shall drive or park a vehicle on the Spit north of the designated parking area.

**SECTION 27. Event Site.** No person shall engage in activities related to kiteboarding and windsurfing at the Event Site except at times and in areas designated by an Official Sign.

**SECTION 28. Event Site Docks.**

- a. No person shall jump or dive from an Event Site dock.
- b. No person shall use a dock owned by the Port located at the Event Site or in the Nichols Basin without Port permission.



**SECTION 29. Hook.** No person shall operate or park a vehicle at the Hook between the hours of 10:00 p.m. and 6:00 a.m., or when the Hook roadway entrance gate is closed.

**SECTION 30. Interstate Bridge.** The following activities are prohibited on the Interstate Bridge:

- a. No person shall ride a bicycle or other self-propelled device on the Interstate Bridge.
- b. No person shall walk onto or jump from the Interstate Bridge.
- c. No person shall drive a vehicle in excess of 25 miles per hour on the Interstate Bridge, unless a different speed is posted at an entrance to the Interstate Bridge, in which event the driver shall obey the posted speed. Emergency vehicles are the exception from this requirement in cases of an emergency.
- d. No person driving a vehicle shall pass another vehicle traveling in the same direction, or pass a vehicle in the same lane of travel which is stopped on the Interstate Bridge.
- e. No person shall stop, park, or leave a vehicle unattended on the Interstate Bridge.

### **ENFORCEMENT**

**SECTION 31. Severability.** This ordinance shall be liberally constructed to effectuate the purposes of this ordinance. Each section, subsection or other portion of this ordinance shall be severable; the invalidity of any section, subsection, or other portion shall not invalidate the remainder.

**SECTION 32. Enforcement of Ordinance.**

- a. Port employees shall have authority to carry out the provisions of this ordinance, to cause citations for ordinance violations to be issued by a Peace Officer, and if the employee is a Peace Officer to issue citations.
- b. All peace officers of the city, the county, the state and those appointed by the Board shall have the authority to enforce the provisions of this ordinance and to issue citations for the violation of any section of this ordinance.
- c. Any person who is issued a citation for the violation of any section of this ordinance must appear in the Municipal Court of the City of Hood River or in such other court in Hood River County with jurisdiction over the matter as stated on the citation.

**SECTION 33. Penalties.** A person who receives a citation for violation(s) of this ordinance shall be subject to a fine(s). Each violation of a separate section of this ordinance shall constitute a separate offense. Each time a separate violation of this ordinance occurs shall constitute a separate offense. Each offense shall be subject to a fine not to exceed \$250.00.

**SECTION 34. Right of Removal.**

- a. No person shall remain on Port Property after being asked to leave Port Property by a Peace Officer or by a Port employee who has reasonable grounds to believe the person has violated a provision of this ordinance or of the Oregon Criminal Code, or

- the person has threatened to do so.
- b. No person shall cause or allow their personal property to remain at a location on Port Property after a Peace Officer or a Port employee has asked the person to remove or relocate the personal property.

**SECTION 35. Ordinances Repealed.** Port Ordinance No. 22, An Ordinance Regulating Conduct on Port Property, dated May 20, 2003, is hereby repealed.

First Reading: 15<sup>th</sup> day of April, 2014, by the Port of Hood River Board of Commissioners.

Second Reading: \_\_\_ day of \_\_\_\_\_, 2014, by the Port of Hood River Board of Commissioners.

Adopted: \_\_\_ day of \_\_\_\_\_, 2014, by the Port of Hood River Board of Commissioners.

Effective Date: 30 days after date of adoption, the \_\_\_ day of \_\_\_\_\_, 2014.

**PORT OF HOOD RIVER**  
1000. E. Port Marina Drive  
Hood River, OR 97031

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Rich McBride, President

---

Mellissa Halseth, Recording Secretary





OREGON SHORT TERM  
FUND BOARD  
350 WINTER STREET NE, SUITE 100  
SALEM, OREGON 97310-0840  
(503) 378-4633  
FAX (503) 373-1179

## OREGON SHORT TERM FUND BOARD

April 1, 2014

RECEIVED  
APR 09 2014

cc: Michael

Board of Commissioners  
Port of Hood River  
1000 E. Port Marina Drive  
Hood River, OR 97031

### SUBJECT: PORT OF HOOD RIVER INVESTMENT POLICY REVIEW

Dear Board of Commissioners,

The Port of Hood River's investment policy was submitted by Fred Kowell to the Oregon Short Term Fund ("OSTF") Board (the "Board") for review.

The OSTF Board's statutory obligation is to "review and comment to the governing body" (ORS 294.135(a)) on the written investment policy submitted to the Board. To assist in the policy revision process, the Board developed a model policy laying out the elements that it believes are important in policies. These are also the elements against which submitted policies are reviewed. As part of the local government investment policy review process, resources of the Office of the State Treasurer's staff are provided to assist as needed on policy revisions or development.

The Oregon Short Term Fund Board reviewed the Port of Hood River's investment policy at the OSTF Board meeting on March 10, 2014, and the Board is pleased to inform you that the statutory policy review requirement has been satisfied.

During the review, the OSTF Board offered the following comments:

- Weighted Average Maturity ("WAM"): The Board noted that increases in allowable investment maturities increased the interest rate risk to the portfolio.
- Page 4 of 35, Section F: The Board was unsure if the 10% maximum exposure to corporate indebtedness applied to Commercial Paper and Corporate Bonds combined or separately. ORS 294.035 (3)(i)(D) allows up to 35% exposure to corporate indebtedness.
- Page 7 of 35, Section VI: It was recommended that the sentence "Investment officers will strive for best execution of trades, and shall *on occasion* solicit competitive bids or offers for all investable assets" be amended to say, "Investment officers will strive for best execution of trades, and shall *strive to* solicit competitive bids or offers for all investable assets."
- Page 6 of 35, Section V: The Board suggested that the maximum percent of callable securities in the portfolio be reduced from 50% down to 30% because of volatility and uncertainty that could be caused by investing in callable bonds.

- Page 2 of 35, Section II: The Board advised the Port to designate a “point person” to be authorized to perform investment duties. Consider amending the wording to say, “The Finance Manager will be responsible for implementation of this policy, working closely with the Executive Director in the performance of his duties.”
- Page 7 of 35, Section VIII: The reporting requirements do not provide for a periodic review of the policy. It was suggested that language be added requiring an annual policy review. Also, requiring monthly or quarterly portfolio performance reviews to the governing body was strongly advised, including mark to market value and any change to portfolio holdings. By statutory requirement, if a Local Government invests beyond 18 months, they are required to have their governing body review their investment policy annually.
- The Board advised the Port of Hood River to solicit the services of an independent investment advisor.

Should any member of the Port of Hood River’s governing body wish to discuss the policy, please call Tom Lofton at the Office of the State Treasurer. The phone number is (503) 378-4155.

Sincerely,



Douglas E. Goe  
Oregon Short Term Fund Board Chair  
(503) 943-4810

cc: Richard E. McBride, President  
Brian Shortt, Vice President  
Hoby Streich, Secretary  
Jon Davies, Treasurer  
Fred Duckwall, Commissioner  
Jerry Jaques, Port Legal Counsel  
Fred Kowell, Finance Manager  
Tom Lofton, Oregon State Treasury



## Executive Director's Report

April 15, 2014

### Staff & Administrative

- John Mann has accepted an offer to join the Port as the new Maintenance Supervisor, replacing Joe Pounders. John has most recently worked as a project engineer for Klickitat County. I am very impressed by his experience, work approach and enthusiasm for the position.
- Along with Jess Groves (Cascade Locks) Mary Margaret Evans (Insitu) and Ken Bailey (MCEDD), I provided testimony to the Columbia Gorge Commission on April 8 regarding efforts to enhance regional collaboration on economic development issues. A Brown Bag discussion is scheduled for April 16 in White Salmon and another meeting of Gorge ports is planned.
- Fred presented our proposed investment policy to the Oregon Short Term Bond Fund Board. This satisfies our statutory requirements. Fred will consider their suggestions and bring a recommended policy to the Commission for approval at a future meeting.
- Commissioner McBride has sent one e-mail from his travels. He stated the water temperature was 83 degrees and he could see a smoking volcano.

### Recreation

- The fourth Project Advisory Committee meeting for the Nichols Basin West Edge Project is scheduled for April 16. Attached is a draft of the long-term, overall concept plan and a Phase One plan that depicts what might be constructed if we are successful with additional grant funding. Comments from the Commission are still welcome.
- We have successfully made applications for LGGP funds for both the Hook Launch and Waterfront Trail (\$75,000) and NBWE (\$450,000) projects. Liz and Genevieve both put a lot of time and efforts into these applications. The larger one will require a presentation to the Review Committee in June.
- Mark Even Construction is underway with Shop Drawings for the Boathouse Dock project. Key technical issues to be resolved include the freeboard and width of the new dock. Staff is recommending that we do not re-use the existing docks.
- The attached photo shows a low freeboard condition has emerged at the base of the Marina main gangway. We are currently seeking a contractor to install additional flotation. One pedestal was hit by a slip tenant who has agreed to compensate the Port for repairs.
- Three existing schools submitted proposals to manage a container for storage of SUP boards. A selection committee reviewed each proposal and ranked Big Winds the highest. The container would be located near Slackwater Beach.
- Event Site pre-season passes will be available for sale at discounted pricing from May 1-21. Vehicle passes will sell for \$50 (a savings of \$15) and

passes for vehicles exceeding 22 feet will sell for \$120 (a savings of \$30). The Event Site booth is scheduled to open Friday, May 23.

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## **Development**

- The City has requested two applications to address zoning of the Expo property. The first, which has been prepared, is to request a zone change from C-2 to LI. The second would be to remove the condition specifying Exposition Center use on the C-2 property to remain. This is an action item.
- Negotiations continue on the HRJCO project. You have all received a letter from the HRJCO attorney regarding their comments on the draft DDA.
- Full Sail has offered to arrange a tour of their new offices for the Commissioners. Please let Laurie know if you are interested.
- The new monument sign is installed at the Jensen Building. We have not settled on a list of possible new names for the Commission to consider.
- The Oregon Car Rally Group will be using Lot #1 on May 3 and 4.

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## **Airport**

- An Airport Advisory Committee meeting will be scheduled in late April or early May. Fred Kowell will assume primary staff responsibilities for this committee.

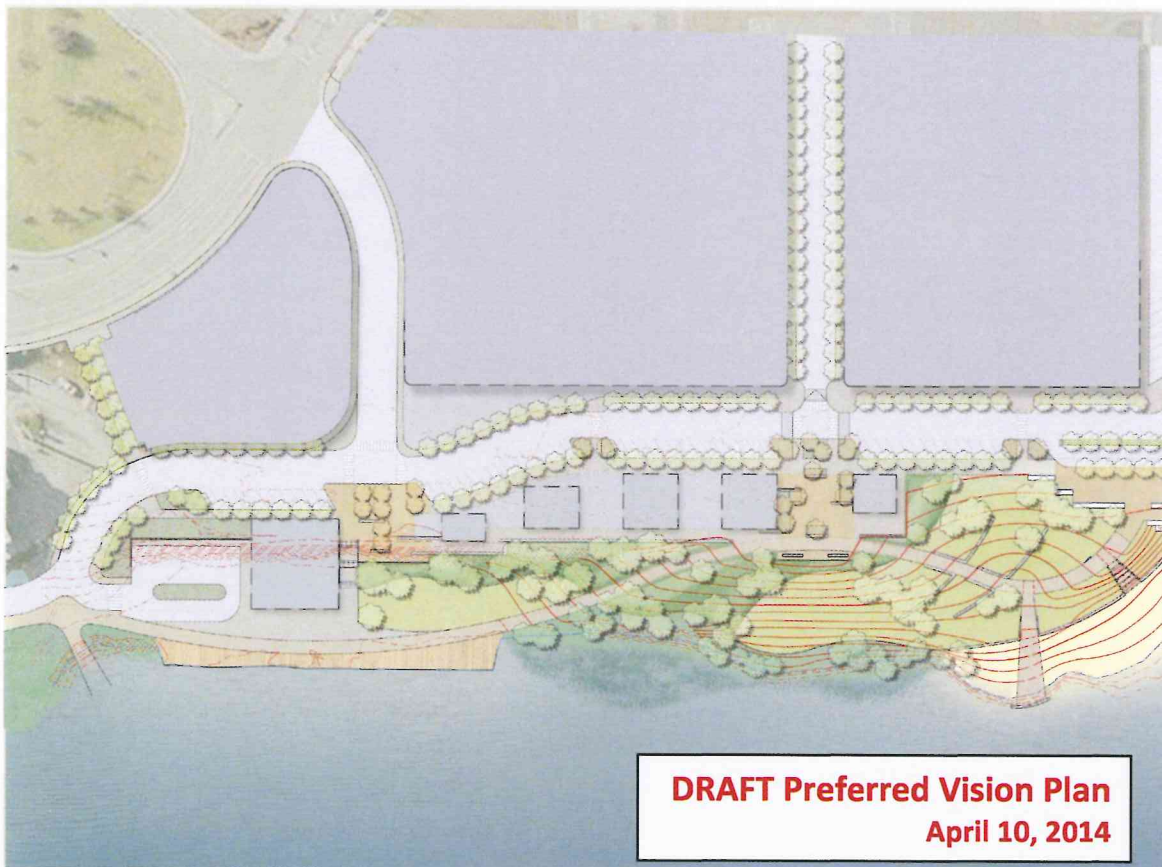
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## **Bridge/Transportation**

- A copy of the FY14/15 work plan for the Bridge is attached. The tasks listed are based on our current long-term model and new assumptions based on the recent lift span inspection and other information. This work plan will be folded into the proposed budget.
- Another round of welding repairs has concluded. The crew is nearly finished with all known areas of deck cracks.
- ODOT is looking again at a better method for coordinating current and future transportation issues and projects in Region 1. The National Policy Consensus Center at PSU (i.e. Oregon Solutions) is coordinating the effort and a series of meetings are planned with public and private stakeholders in the Portland area. County Commissioner Joplin is representing Hood River County on the Steering Committee. I have been invited to serve on the Technical Committee but have declined due to time constraints and the role of that committee.
- Two holes have emerged in the concrete approach ramps at either end of the Bridge. HNTB will be assessing them soon for repairs.
- We have still not received the Fracture Critical Inspection Report from ODOT.



**NBWE Trail PAC Meeting – Wednesday, April 16, 2014**  
**Port Marina Conference Room, 5:30 p.m.**











JR 51

OR 923 UU

**BRIDGE WORK PLAN**

Recommendations - 04/10/14

Bridge Component Group	Priority Level	Project / Issue	Work Description	Duration	Work Type	Estimated Cost	On Call Task	2014						2015								
								JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG
Approach Structures	1	<b>Approach Concrete Deterioration</b>																				
		WA Approach Overlay Construction Admin.	4 months	Engineering	\$ 65,000																	
		Construct WA Approach Overlay	4 months	Construction	\$ 275,000																	
Foundations	8	<b>Seismic Vulnerability</b>																				
		Seismic vulnerability study	2 months	Engineering	\$ 10,000		X															
Sub-structure Piers	5	<b>Pier Concrete Deterioration</b>																				
		Concrete condition evaluation options memo	3 months	Engineering	\$ 15,000		X															
Superstructure Steel Truss	3	<b>Auxiliary Truss Brace Connections</b>																				
		PS&E for auxiliary brace rehab	6 months	Engineering	\$ 80,000																	
		Construction Administration	5 months	Engineering	\$ 65,000																	
			Repair auxiliary brace connections	5 months	Construction	\$ 350,000																
	7	<b>Steel Gusset Plates &amp; Truss Members</b>																				
		Gusset plate triage evaluation method (WSDOT)	6 months	Engineering	\$ 150,000																	
Painting	6	<b>Preventative Painting</b>																				
		Bridge Operations & Maintenance Manual	4 months	Engineering	\$ 10,000		X															
		Pressure wash steel truss	2 months	Operations	\$ 50,000																	
Deck Systems	4	<b>Deck Weld Cracking</b>																				
		Deck Weld Crack Monitoring	6 months	Engineering	\$ 3,000		X															
Bridge Railing	None																					
Lift Span E & M	2	<b>Lift Span E&amp;M Maintenance</b>																				
		Lift Span Seating Study	4 months	Engineering	\$ 70,000																	
		Lift Span Seating PS&E	3 months	Engineering	\$ 30,000																	
		Lift Span Seating Construction Administration	4 months	Engineering	\$ 40,000																	
		Lift Span Seating Repairs	4 months	Construction	\$ 500,000																	
		Lift Span E&M Oper. & Mainten.	Ongoing	Maintenance	\$ 10,800																	

1 = highest

**WORK CATEGORIZATION:**

- Essential* High probability of occurrence and required to continue safe and continuous bridge operations.
- Priority* Medium to high probability of occurrence and needed to prevent bridge service disruption.
- Recommended* Preventative work to maintain operating efficiency and safety
- Elective* Additional non-essential work to improve safety enhance service.

FY 2015 Engineering:

\$ 283,000



Port of Hood River Marina Ad-hoc Committee  
Meeting Minutes of April 8, 2014  
Marina Center Boardroom  
8:00 A.M.

*Present:* Commissioner Jon Davies; Members Steve Tessmer, Tammy Lakey, Josh Sceva and Lance Staughton; from staff, Michael McElwee, Fred Kowell and Mellissa Halseth

*Absent:* None

*Guests:* Paul Blackburn, Steve Carlson

Commissioner Davies called the meeting to order at 8:02 a.m.

1. *Additions to Agenda:* None.

2. *Approve Minutes of January 21, 2013 Meeting:* Approved.

3. *Committee Dock Walks:*

- All committee members walked their respective docks to identify any repairs needed. There were minor things mentioned and staff will forward these items through the maintenance request system. Staff will send an email to let tenants know about the hooks that were installed on the power pedestals.

4. *Boathouse Dock Replacement Project Update:*

- Three bids were received with the low bid below the engineer's estimate. Marc Even Construction has been awarded a contract. The engineer and staff will be reviewing shop drawings in the next few weeks. Substantial completion is to be by June 30, 2014.
  - Due to the cost to retrofit the existing docks and permitting issues, committee consensus was to let the contractor dispose of the old docks as bid.
  - Staff will research a transition ramp that could be used on the Maritime docks in Nichols Basin to pull light watercraft onto the high freeboard dock.

5. *South Basin Dock Lottery Results*

- The drawing was held March 18. All spaces have been accepted and staff was able to accommodate most everyone that entered. Contracts and payment are due May 1.

6. *Marina Master Plan*

- Financials – Fred Kowell, Finance Manager provided a schedule of revenues and expenses collected over an eight year period. This showed that the marina has negative reserves. Committee consensus was to have a revenue neutral marina. The committee asked Kowell to prepare a 10 year model that the committee could use to derive rates for coming years. Kowell will also gather current figures for 2013-2014.

7. *Other:*

- GFCI Monitoring – Staff received a certificate showing that the electrical system GFCI was tested when the system was installed and was approved. There is a requirement that the GFCI be tested annually. Staff has received a quote for a monitoring system that staff could monitor and could possibly eliminate the annual testing. Staff will get more specifics for the monitoring system.
- Hook Installation/Pedestal Damage – Steve Carlson, moorage tenant installed all of the hooks on the pedestal to hang power cords. He stated that the install was difficult and that it would have



been better to install them during fabrication of the pedestals. There was pedestal damage at a slip over the past weekend. The tenant or their insurance company will be responsible for the repairs.

- Gangway Repair – The float that the gangway is resting on appears to be sinking. This could be a combination of the new electrical cable and deterioration of the floatation. Staff is soliciting quotes for the repair.
- Sailing Program – A new high school program has been added to the South Basin Dock. Staff will be working with the sailing program coordinators to put together a regatta. The winner/s would receive a Port of Hood River Commissioner's cup trophy.
- Hawaiian Canoe Storage – The club would like to be able to store the canoe out of the water. They have purchased a second canoe that they may temporarily store at the marina beach to see if the location works. There was more discussion of storage for light watercraft and a suggestion to build an inexpensive building on the NW corner of the Marina Basin. Steve Carlson suggested that the Port take a test run with a shipping container before spending the money on a building.

8. *HRYC's Initial Long Term Vision Outline:*

- This item was tabled until the next meeting so more time could be devoted to this topic.

9. *Adjourn:* Davies adjourned the meeting at 9:35 a.m.

# Commission Memo

**To: Commissioners**  
**From: Anne Medenbach**  
**Date: April 15, 2014**  
**Re: Art of Community-Use and Sponsor Agreements**

---

Art of Community (AC) was established in 2014 by four local artists to promote and develop public art throughout the Gorge. AC is proposing to install large pieces of art in select public locations in downtown Hood River and Port properties. The goal is to install 8 to 10 pieces the first year and create a walking tour of the installations with additional locations to be added in the future. The vision of the project is to enhance the natural beauty of the Gorge, create community landmarks and increase accessibility to art for everyone.

Kristen Godkin presented the idea to the Port Board of Commissioners at the March 20<sup>th</sup> meeting. The Commissioners discussed the use of Port property for installations and directed Staff to clarify locations. The four proposed locations are indicated on the provided map.

Two Commission action items are recommended by Staff:

1. To approve a use agreement with AC to install four concrete slabs at four separate locations on Port property. These slabs will be professionally installed and maintained by AC at no cost to the Port. The use agreement also allows pieces of juried art to be installed on these slabs at the expense of AC and its sponsors. Installation, maintenance, repair, removal and liability insurance are to be the sole responsibility of AC.
2. To show support for this public art project, Staff recommends that the Port sponsor the installation and maintenance of one piece of art for one year, not to exceed \$1,500. Sponsorship includes: jury selection, installation, maintenance, removal and repair and insurance for theft and personal liability.

## **RECOMMENDATION:**

1. Approve a Use Agreement with Art of Community for the use of 4 art installation locations on Port property.
2. Approve a Sponsor Agreement with Art of Community for one art installation on the Port selected location for one year and not to exceed \$1,500.

LICENSE GRANTED BY PORT OF HOOD RIVER

TO ART OF COMMUNITY

**ART INSTALLATIONS**

1. **Agreement:** Subject to the terms of this license agreement ("Agreement") the Port of Hood River ("Port") grants to ART OF COMMUNITY ("Licensee") permission to use the four locations on Port property for the installation of public art, shown on Exhibit "A" attached hereto ("License Area").

Licensee intends to use the License Area for the installation of public art. The art pieces will be placed on concrete pads installed by Crestline Construction at the indicated locations. The pads will range in size from 3'x4' to 4'x5' and will be placed 6" subgrade. The artwork will range in size from 6' to 14' feet in height. The art will be professionally evaluated and installed to withstand Gorge weather conditions. Any pieces installed over 11' will be stamped by an engineer to ensure structural integrity.

2. **Fee:** Licensee shall pay the Port \$50 as a license fee for using the License Area during the License Term.
3. **Maintenance:** Art of Community is responsible for all care and maintenance of each piece of artwork and concrete pad including; graffiti removal, installation and artwork removal, damage, repair and substitution. Any repair work will be completed within 72 hours of notification by the Port.
4. **Term:** The right to use the License Area granted by this Agreement shall commence on **May 1, 2014** and continue through **April 30, 2015** ("License Term). **There are no renewal provisions associated with this License, and all equipment and materials must be removed no later than April 30, 2015.** This agreement may be revoked by the Port upon 24 hours notice.
5. **Laws:** Licensee shall comply with all federal, state and local laws, codes, regulations and ordinances applicable to its occupancy or use of Port property, and shall comply with all Port ordinances, rules or requests regarding use of the License Area during the License Term.
6. **Insurance:** Licensee shall hold the Port, its employees, agents and Commissioners harmless from and indemnify them against any claims or liability for damage to persons or property in any way related to Licensee's occupancy or use of Port property. During the term of this Agreement Licensee shall carry and keep in effect a Commercial General Liability insurance policy covering bodily injury and property damage in a form reasonably acceptable to the Port issued on an occurrence basis in an amount not less than \$1,000,000 combined single limit per occurrence ("Commercial Insurance"). Before using the License Area Licensee shall provide the Port with proof of Commercial Insurance along with a certificate of coverage naming the Port, its employees, agents and Commissioners as an additional insured, and requiring that insurance coverage shall not be cancelled without thirty days prior written notice from the Commercial Insurance Company to the Port.
7. **Covenants:** Licensee shall not do anything which damages Port property, including spilling any motor oil or fuel within the License Area. Licensee shall keep the License Area in at least as good



condition as it was in at the outset of the License Term. At the expiration of the License Term Licensee shall promptly remove the art installations and any personal property from the License Area, and return the vacated License Area to the Port in good, clean condition.

8. **Attorney Fees:** In the event of litigation by either party to enforce its rights hereunder the prevailing party shall be entitled to recover its reasonable attorneys fees from the losing party incurred prior to trial, at trial or on appeal.
9. **Signing Authority:** Each person signing this Agreement on behalf of the Port and Art of Community represents and warrants they have the right to do so.

Dated: \_\_\_\_\_, 2014

**PORT OF HOOD RIVER**

**ART OF COMMUNITY**

By: \_\_\_\_\_  
Michael S. McElwee

By: \_\_\_\_\_  
CJ Rench

**Title: Executive Director**

**Title:**

1000 E. Port Marina Drive  
Hood River OR 97031  
porthr@gorge.net  
www.portofhoodriver.com  
(541) 386-1645 Office  
(541) 676-9655 Fax

621 State St.  
Hood River, OR 97031  
info@art-of-community.com  
www.art-of-community.com  
(541) 490-2451 Cell



# Exhibit A

## Location Map of Art of Community Installations- Port Property- 2014



**Location #1  
Chamber**



**Location #4  
Luhr Jensen W.**



**Location #3  
Luhr Jensen E.**

**Location #2  
Median**

# ART of COMMUNITY

## SPONSOR AGREEMENT

### SUMMARY

This agreement is between Art of Community and \_\_\_\_\_(Sponsor). Sponsor agrees to pay for the installation of \_\_\_\_\_(number) pieces of art. Each piece will be sponsored at \$1,500. The sponsorship is for one (1) year beginning on May 1, 2014 and terminating as of April 30, 2015. Installation will take place between Friday, May 30th to Friday, June 16th 2014.

### SELECTION PROCESS

The four founding artists of Art of Community, a member of Arts in Education and a representative from each Financial Partner will make up the Jury to select the art. Art of Community will go through all the artists submissions, that are due on April 25, 2014, making sure that they each qualify. The Jury will then all assemble on Thursday May 1, 2014, project the images, discuss and select a piece of art for each site. Our primary concern is safety, after that we want to make sure each sponsor is happy with the process and selection.

### LOCATIONS

The sponsored piece of are will be at the following location:

Directly east of the Chamber of Commerce (start of walking tour - parking and maps available)

### CONCRETE PADS, INSTALLATION & ARTWORK SPECS

Crestline Construction will install various sized concrete pads. Dimensions available are: 3'x4' to 4'x5', 6' deep placed subgrade proper excavation techniques. Each piece of artwork will be evaluated for safety and Gorge weather conditions by CJRDesign. Once approved, the artworks will be installed by CJRDesign. Artwork will range in size from six feet tall up to 14 feet in height. If art work is taller than 11feet, it will require an engineer stamp.



## CARE & MAINTENANCE

Art of Community is responsible for the care and maintenance of each piece of artwork including cleaning, graffiti or tagging removal, installation and artwork removal. If a piece of artwork is damaged, it will be repaired on-site within 72-hours of notification or removed for repair while a substitute piece of art will be installed temporarily.

## INSURANCE

Art of Community will carry coverage for damage or theft of artwork that will cover all pieces of art and \$1 million personal liability insurance.

## PRIMARY CONTACT

The primary Art of Community contact is Kristen Godkin, she can be reached at 541-490-2451 or [kristen@art-of-community.com](mailto:kristen@art-of-community.com).

## SIGNATURE OF AGREEMENT

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Port of Hood River	Date
Michael S. McElwee, Executive Director	

---

Art of Community Signature and Date



## Commission Memo

**To: Commissioners**  
**From: Michael McElwee**  
**Date: April 15, 2014**  
**Re: Contract Amendment for Expo Planning Services**

---

ON January 14 the Commission approved a contract with Berger ABAM ("Berger") to prepare an application to change the comprehensive plan and zoning on portions of the Expo property from C2 to LI. The Port subsequently entered into a contract with Berger and the application is nearly complete.

The City of Hood River recently requested that a second application be submitted to remove a stipulation of the 1998 zone change that made the C2 zoning contingent upon the property's continued use as an exposition center. If approved, this would remove the "cloud" over the proposed commercial lots to remain and the existing Lot #3 Building that has already been constructed. This new application will require additional work from Berger. Their proposal is attached.

Because the second application benefits both Key Development and the Port, I asked Jeff Pickhardt to contribute 1/2 of the professional fees and application fee. He has agreed.

**RECOMMENDATION:** Authorize Amendment No. 1 to the contract with Berger ABAM for planning services not to exceed \$5,000 subject to legal counsel review.

10 April 2014

Michael McElwee  
Executive Director  
Port of Hood River  
1000 East Port Marina Drive  
Hood River, OR 97031

via email

Re: Proposed Contract Extension for Port Rezone for Lots 3, 4, and 5 of the Waterfront Business Park from C-2 Conditional (Expo Center Use) to C-2

Dear Michael:

BergerABAM is pleased to present this proposal to complete a second rezone application for Lots 3, 4, and 5 of the Waterfront Business Park. As you are aware, in 1998 the City passed Ordinance No. 1762 to rezone this site for the Expo Center, including a condition that the property be used for an Expo Center and related ancillary uses. We have prepared an application for Lot 6 (parking lot) and a portion of Lot 4 (Expo Center) to be submitted for a rezone from C-2 conditional to LI, light industrial, to reflect current and planned uses of the site.

This contract addendum is to complete a second rezone application for the balance of the C-2 conditionally zoned lots surrounding the former Expo Center and parking lot (Lots 3, 5, and remaining, street-fronting portions of Lot 4). These lots are in need of a rezone from C-2 conditional to C-2, thereby removing the condition that these properties be used for Expo Center and ancillary uses. Consistent with the City of Hood River Municipal Code, BergerABAM will prepare the application form, complete the application narrative and map exhibit to address the approval criteria with appropriate findings of compliance. We have excluded preparation and attendance at the Planning Commission and City Council hearings to represent you, but can provide these services on request through an additional change order.

#### **TASK 1. REZONE APPLICATION AND NARRATIVE**

Develop an application narrative that describes the project background and addresses the relevant approval criteria in Hood River Municipal Code, Chapter 17, and applicable comprehensive plan criteria. The application narrative will provide the findings and conclusions needed to support the application, and will include one rezone map and an existing survey exhibit. The zone change application form will also be completed, and the package will be presented for one round of consolidated review comments from the Port of Hood River, which may include review by the Port's developer and team. The revised final application will be submitted to the City, with the appropriate application fee provided by the Port. We will

provide follow up on completeness items raised by the City, as budget allows. The agreed target submittal date is 22 April 2014.

*Deliverables*

- A draft and final rezone application narrative, application form and rezone map.

*Assumptions*

- The rezone application will use a similar format and will rely on existing work and findings completed for the base contract rezone (Key Development rezone), with no more than minor additional research to craft the narrative and findings.
- All application fees are the responsibility of the applicant.

*Exclusions*

- No public hearings are including.
- A zone change approval is not guaranteed.
- No surveys, or special studies are required

**PROPOSED FEE**

BergerABAM proposes to complete the rezone application (No. 2) for the Waterfront Business Park Lots 3, 4 (portion) and 5 pursuant to the scope above for a time and materials fee not to exceed \$5,000. This contract extension would bring the existing \$7,500 contracted amount for one rezone application to **\$12,500 for two rezone applications.**

**CLOSING**

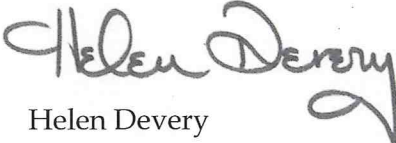
If you agree with the above, please show your acceptance by signing in the space provided below. Please return a fully executed copy of the entire proposal to me by fax or PDF and retain the original for your files. This proposal is valid for 30 days.



Mr. Michael McElwee  
10 April 2014  
Page 3

We thank you for the opportunity to provide this proposal, and we look forward to working with you. If you have questions, please call Scott Keillor at 541-386-1047 or me at 360/823-6100.

Sincerely,

  
Helen Devery

**ACCEPTED BY**

**PORT OF HOOD RIVER**

---

Signature

---

Name (Printed)

---

Title

---

Date