

## RESOLUTION NO. 2022-23-5

### Amending the Financial Administrative Policies and Procedures to Address Donations and Fee Waivers

**WHEREAS**, the Port of Hood River has financial administrative policies and procedures; and

**WHEREAS**, the Port has a Donation and Fee Waivers Policy to enable waiver of some fees for certain non-profit and youth-related events held on Port properties; and

**WHEREAS**, the Port's 2021-2026 Strategic Business Plan calls for review of such policies as they relate to financial self-sustainability of the Port Marina, Airport, and Waterfront Recreation properties and operations; and

**WHEREAS**, the last review of the Donations and Fee Waivers Policy was in 2014; NOW  
THEREFORE

#### **BE IT RESOLVED:**

Section 1. Amend the Financial Administrative Policies and Procedures to include the following:

#### **Purpose**

The Port of Hood River owns open space and event sites that are used by the public and organized groups for recreational activities and events. Use Agreement and Event Permit fees are assessed to partially offset the cost of management and maintenance of those properties. On occasion, the Port is asked by various groups to waive facility/park fees for special events. To support recreational activities and events, and to achieve Port goals, the Port may waive or reduce its standard user fees on a case-by-case basis. The Port recognizes the importance of supporting community events, programs and celebrations providing a community benefit and improving overall cultural connection and enrichment opportunities for the Hood River community.

This policy is designed to set forth guidelines and establish parameters for waiving or reducing park use and event fees, and to provide an equitable means for event sponsors to apply for fee waivers or reductions. This policy describes the criteria for fee reductions or waivers, and expressly prohibits cash donations. Current user fees are described in the most recent Event Rules, Regulations, Fees and Requirements document.

#### **1. General Principles**

The granting of waivers is dependent upon budget and operating impacts. To the extent a reduction or waiver can be granted without negatively impacting the Port's budget or operations, this policy will guide Port Commission and staff discretion.

- There is a limit of one (1) fee waiver/reduction for an event, organization, or activity within a twelve-month period.
- A fee waiver/reduction may be available for a variety of events including sporting, tourism, cultural, general, and major community events and activities.

- Fee waivers/reductions are for Port facility permit or use agreement fees only. Direct costs, including but not limited to traffic control and parking, Port staff time, sanitation, or other Port fees are not eligible for a waiver or reduction under this Policy.
- Due to statutory limits on the use of public funds, the Port will not make cash donations for any purpose. Port of Hood River parking passes and electronic tolling transponders are considered the same as cash.

## 2. Responsibility

A fee reduction or waiver may be granted by the Port of Hood River Commission if the event or use agreement is compatible with Port priorities and meets other criteria described below. The Executive Director has the discretion to reduce facility permit fees up to 50% (maximum value of \$500 per organization per year) and to waive use agreement and event fees for non-profit groups associated with youth sports activities based in our community not to exceed \$500 per year.

## 3. Considerations

Any applicant requesting an event fee reduction or waiver must fall within the following categories:

- a. Intergovernmental Cooperation- The Port may waive fees for Intergovernmental cooperation for special events or temporary uses when the applicant is another government agency, and the use is related to the performance of its normal functions and is a benefit to residents of the Port District.
- b. Non-Profit Organization- The Port may waive fees for non-profit organizations. The activity must show a community benefit to the residents of the Port District or surrounding communities. The organization must submit their written policy showing that they do not deny participants due to their inability to pay registration or participation fees.
- c. Official Port Co-Sponsored Event that benefits the community, such as the fireworks for the 4<sup>th</sup> of July Fireworks celebration.

No fee waivers will be granted for the Event Site on any Friday, Saturday, or Sunday from May 1<sup>st</sup> through October 1<sup>st</sup>.

### ***Consideration will be given to events that meet the following criteria:***

- Are produced by not-for-profit organizations and non-profit entities that have a documented federal 501(c)(3) status or similar non-profit status under state law; and
- The event, program, activity, or improvement is of public benefit to the Port District and/or surrounding community, or a sizable portion of its residents; and
- The sponsoring organization must be based inside the Port District boundary (unless the demonstrated benefits are primarily to the residents of the District); and
- If fundraising is involved, the organization must demonstrate that at least 60% of the funds raised will be of general benefit to the Hood River Community; and
- The event, program, activity, or improvement is free and open to the public; and
- The event, program, activity, or improvement does not significantly impact Port departments, services, operations, or activities; and

- Requested use of facility/property does not conflict with or impede other facility reservations and or Port operations.

The event must acknowledge the Port of Hood River's support and assistance in all event promotional materials.

***Events/Activities Not Eligible for Waiver or Reduction:***

- For-profit organizations or groups, or commercial events;
- Facility/park rentals that are for private use or that are for private events, programs or activities;
- Organizations based outside of the Port District;
- Organizations that discriminate on the basis of race, gender, age, color, religion, disability status, marital status, sexual orientation or transgender status, or ethnic or regional nationality.
- Events organized by groups or individuals that are unincorporated.
- Events that provide no direct community benefit;
- Events or activities that are not open to the public, whether or not a fee is charged;
- Projects or organizations who have failed to fulfill their obligations during previous events or activities for which Port facility permit fees were waived or reduced.

Fundraising for the benefit of an individual or a family for purposes such as scholarships or memorials (illness, injury, etc.) will not be considered for fee waivers.

**4. In-Kind Services**

In-kind services may be authorized at the discretion of the Executive Director so long as the aggregate cost of staff and materials does not exceed \$500 for any single activity.

**5. Non-Profit Concession Fee Waivers**

Concession fee waivers or reductions for non-profit community youth sports programs based in the Port District may be adjusted by a separate action of the Commission. The same criteria for Event fee waivers apply, with a \$500 maximum value per organization per year.

**6. Other Obligations**

Any reduction or waiver of Port facility permit fees will not affect the applicant's obligation to comply with remaining qualifications, restrictions and criteria of this Policy, to pay other Port costs, or to provide a security deposit or insurance as required.

Applicants that fail to abide by the Port policies and procedures will be ineligible to receive future fee waivers or fee reductions for a period of at least one (1) year.

**7. Acknowledgment**

All recipients of a fee waiver or reduction shall acknowledge the Port of Hood River when feasible in all publicity relating to the event or activity. Acknowledgment includes Port logos and statements in advertising and promotional material, media releases and in other promotional contexts. Promotional commitments should be described in the event application.

**8. Requirements/Procedures**

*Fee waivers must be submitted using the application form on the Port of Hood River's website:*  
<https://portofhoodriver.com/waterfront-recreation/events/>


Requests for a fee waiver or reduction must be made in writing, using the Application Form attached to this Policy and delivered, along with a copy of the organization's IRS 501(c) determination letter. Complete the application in its entirety; incomplete applications will not be considered. If you need additional space for your justification statement, please attach additional pages.

Applications must be submitted at least 60 days prior to the event, but not more than 6 months prior to the event. The Executive Director or Port Commission shall determine eligibility and make a decision within 45 days of receipt of the request.

Section 2. Fees identified in this resolution may be adjusted by subsequent Commission action.

**ADOPTED BY THE BOARD OF COMMISSIONERS** this 10<sup>th</sup> day of January, 2023.

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Ben Sheppard, President

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Michael Fox, Secretary