

**PORT OF HOOD RIVER COMMISSION**

**Tuesday, February 19, 2013**

**Marina Center Boardroom**

**5:00 p.m.**

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**Regular Session Agenda**

1. Call to Order
  - a. Modifications, Additions to Agenda
2. Public Comment (5 minutes per person per subject; 30 minute limit)
3. Consent Agenda
  - Approve Minutes of February 5, 2013 Regular Session Meeting
  - Authorize Petty Cash Fund
  - Approve Purchase of Phone System from Gorge Net in the Amount of \$1,780
  - Authorize Revised Addendum No. 1 to the John and Julie Benton Lease to Adjust the Amount of Leased Land and Rent
  - Authorize a Contract with Guzman Brothers Mobile Repair & Towing for Towing Service
  - Approve Renewals to Glider Concession Agreements for 2013 with NW Skysports and Cascade Soaring for 2013
  - Authorize Contract with Pronto Plumbing Service for the Fabrication and Installation of Two Sewage Grinder Pumps in an Amount Not to Exceed \$11,160.07 Plus Electrical Done by Others for the Swim Beach Restrooms
  - Approve Resolution No. 2012-13-2 Closing the CenterPointe Community Bank Account
  - Approve Resolution No. 2012-13-3 Approving Check Signing Authorization
  - Authorize a Contract with Capitol Asset & Pavement Services, Inc. for Pavement Evaluation in an Amount Not to Exceed \$4,999
4. Commissioner, Committee Reports
  - SDAO Conference – McBride
  - Urban Renewal Agency- Streich
5. Director's Report
  - Schedule
  - Staff & Administration
  - Waterfront Recreation
  - Waterfront Development
  - Airport
  - Bridge/Transportation
6. Reports, Presentations and Discussion Items
  - Lot 1 – Next Steps
  - Federal and State Advocacy
  - Asset Condition Evaluations of Airport, Industrial & Commercial Buildings
  - Interstate Bridge Deck Weld Repair and Monitoring
7. Action Items
  - a. Approve Adjustment to Adopted Budget Document to Agree with Budget Resolution No. 2011-12-3
  - b. Approve Urban Renewal Agency Financing Agreement
8. Commission Call

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

10. 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 February 5, 2013 Regular Session  
Marina Center Boardroom  
5:00 P.M.**

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

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**Present:** Commissioners Jon Davies, Fred Duckwall, Rich McBride and Hoby Streich; Attorney Jerry Jaques; from staff, Michael McElwee, Stephen Burdick, Fred Kowell, Mellissa Halseth and Liz Whitmore

**Absent:** Commissioner Brian Shortt

**Media:** Ben McCarty, Hood River News

**1. CALL TO ORDER:** President Jon Davies called the meeting to order at 5:02 p.m.  
**a. Modifications, Additions to Agenda:** Revised Real Estate Policy presented; add Discussion Item to discuss Commissioner Streich's Vice President Position.

**2. PUBLIC COMMENT:** None.

**3. CONSENT AGENDA:**

- Approve Minutes of January 22, 2013 Regular Session Meeting
- Approve Contract with Secure Pro Technologies, LLC in the Amount of \$7,300 for Installation of Cameras in the Marina Park and Changes to the Exit Button on the Marina Gate
- Authorize Amendment No. 3 to the Lease and Lease Guaranty with Cascadia Brewing Company, LLC
- Authorize Amendment with Columbia Room, Inc. to Extend the Marina Fuel Operations and Lease Agreement to Terminate on July 31, 2016
- Approve Lease with the Hood River County Chamber of Commerce for Breezeway Unit 6 at the Jensen Building
- Approve Lease with Perry Platt for Breezeway Unit 5 at the Jensen Building
- Ratify Lease with Pocket Fuel in the Big 7 Building
- Approve Accounts Payable to TraneOregon in the Amount of \$11,125

**Motion:** Move to Approve Consent Agenda as amended (move River Gauge Item to Action Items for discussion)

**Move:** Shortt

**Second:** Duckwall

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

**Absent:** Streich

**MOTION CARRIED**

**4. COMMISSIONER, COMMITTEE REPORTS:**

▪ Marina Ad-hoc Committee – Mellissa Halseth, Marina Manager reported on the January 29 meeting. The committee reviewed recent Commission actions and the need for the electrical upgrade. There was great discussion about the boathouse dock replacement project and if the project could be amortized over a longer period than 10 years. Boathouse tenants are interested in longer leases which would include standards for hooking the houses up to the new dock. The committee will revisit the boathouse project after the Commission has given direction to staff. Regarding the new sublease policy, the committee consensus was to allow smaller boats in larger slips at the larger slip rate. The committee asked staff to create a nightly rate for regattas and other one-night events.

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

- Schedule –Commissioner Davies and McElwee met with Representative Mark Johnson and discussed bits of legislation. Staff will prepare a discussion topic for Lobbying Advocacy at the February 19 meeting.
- Recreation – The new air photo was taken on February 1. 22 letters were received regarding the Nichols Basin Trail grant. Staff will email these letters to the Commission.
- Development – Union Pacific will be using Lot 1 for construction crew and equipment parking for the month of February to complete track repair. A refinancing agreement will be going to the Urban Renewal Agency meeting on Monday, February 11. Commissioner Streich will meet with McElwee, Bob Francis and Arthur Babitz to discuss the agreement beforehand. The refinancing agreement and the Portway Avenue II loan agreement are expected to be action items at the February 19 Port meeting.

#### **6. REPORTS, PRESENTATIONS AND DISCUSSION ITEMS:**

- Event Site High Water Plan – Liz Whitmore, Waterfront Coordinator presented the Commission with two plan options for High Water at the Event Site. The plan focused on clear signage and a designated rope line for the kiting area. Staff recommended Option 1 that would allow launching and landing until high water recedes at the Executive Director's discretion. There was consensus from the Commission for Option 1 as well. Greg Stiegel from Columbia Gorge Windsurfing Association stated that the CGWA board is supportive of the plan and believe it to be reasonable. McElwee applauded the committee for their hard work in developing the plan.
- Building Function Assessment – Steve Burdick, Development Manager gave an overview of the purpose of the binders and the character assessments for each building. Staff is currently preparing the building assessment conditions for discussion at the February 19 meeting. The Commission made suggestions to the matrix that was prepared and staff will make adjustments as requested.
- Commissioner Streich's Vice President Position – Streich explained that he felt that in way of tradition that Commissioner McBride would serve as Chair President in the next year and that it would be appropriate to allow Streich to resign as Vice President and appoint McBride so that he could gather some experience before July. President Davies accepted Streich's Vice President Resignation. The following actions were taken as a result of this discussion.

**Motion:** Move to Appoint Rich McBride as Vice President

**Move:** Streich

**Second:** Duckwall

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

**Absent:** Shortt

**MOTION CARRIED**

**Motion:** Move to Appoint Hoby Streich as Secretary

**Move:** Duckwall

**Second:** McBride

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

**Absent:** Shortt

**MOTION CARRIED**

#### **7. ACTION ITEMS:**

**1) Authorize 1-year Joint Funding Agreement with the US Geological Survey for the Installation of a River Gauge Subject to Legal Counsel Review:** McBride pulled this item from the Consent Agenda for further discussion about the need to partner with USGS. Whitmore explained that it was necessary to partner with USGS because they will gather the data and prepare it for public use that Port staff can post on the website. This service also allows the Port to store the data for future reference.

**Motion:** Move to Authorize 1-year Joint Funding Agreement with the US Geological Survey for the Installation of a River Gauge Subject to Legal Counsel Review

**Move:** Duckwall

**Second:** Streich

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

**Absent:** Shortt

**MOTION CARRIED**

**a) Authorize Contract with Flowing Solutions for Engineering Services Associated with the Marina Boathouse Docks Not to Exceed \$9,470 Plus Reasonable**

**Reimbursable Expenses:** This contract is for permit drawings to be prepared and a permit application submitted to the COE. After a permit is obtained the final engineering will require a contract amendment. The Commission requested that staff inquire about more preferred pricing.

**Motion:** Move to Authorize Contract with Flowing Solutions for Engineering Services Associated with the Marina Boathouse Docks Not to Exceed \$9,470 Plus Reasonable Reimbursable Expenses

**Move:** McBride

**Second:** Duckwall

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

**Absent:** Shortt

**MOTION CARRIED**

**b) Authorize Contract with MKE Electrical Engineers for Marina Electrical Engineering Services Not to Exceed \$8,000 Plus Reasonable Reimbursable Expenses:**

This contract allows MKE to revise the previous 2011 plans and specifications for bidding in March.

**Motion:** Move to Authorize Contract with MKE Electrical Engineers for Marina Electrical Engineering Services Not to Exceed \$8,000 Plus Reasonable Reimbursable Expenses

**Move:** Duckwall

**Second:** Streich

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

**Absent:** Shortt

**MOTION CARRIED**

**c) Approve Revised Real Estate Policy:** Staff reviewed the revised policy that was provided at the meeting. The Commission directed staff to make specific changes regarding the policy.

**Motion:** Move to Approve Revised Real Estate Policy as Amended

**Move:** Duckwall

**Second:** Streich

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

**Absent:** Shortt

**MOTION CARRIED**

**8. COMMISSION CALL:** Commissioner Streich said "well done" to the Commission for their hard work in his absence from the last two meetings. Commissioner Duckwall said "kudos" to staff for superior work. Commissioner McBride said he had a great time skying at the previous meeting.

**9. EXECUTIVE SESSION:** Regular Session was recessed at 7:108 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 8:25 p.m. There was no action taken as a result of Executive Session.

**10. ADJOURN:** President Davies adjourned the meeting at 8:25 p.m.

Respectfully submitted,

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Melissa Halseth

ATTEST:

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Jon Davies, President, Port Commission

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Hoby Streich, Secretary, Port Commission

# Commission Memo

**To:** Commissioners  
**From:** Fred Kowell  
**Date:** February 19, 2013  
**Re:** Petty Cash Policy

This policy has been written to provide adequate controls over the use and maintenance of the Petty Cash fund. This is an initial step in updating the Port's Financial Administrative Policies & Procedures, which were last revised in June 2004.

**RECOMMENDATION:** Approve Petty Cash Policy.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Michael S. McIvor, Executive Director

\_\_\_\_\_  
Date

\_\_\_\_\_  
Fred Kowell, Finance Manager

## PETTY CASH POLICY

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### **Purpose:**

To provide adequate financial controls over the use and maintenance of the Port of Hood River's Petty Cash fund.

### **Procedures:**

1. The Petty Cash fund will maintain a maximum balance of \$500.00. This amount can be changed upon the approval of the Port of Hood River Board of Commissioners.
2. The Finance Manager will be responsible for the administration of petty cash. The Finance Manager will monitor use of the funds, reconcile the fund on a periodic basis, and retain the petty cash in a locked storage device. The Finance Manager will review petty cash balances on a replenishment basis and will review the fund at fiscal year-end.
3. Employees who make petty cash withdrawal requests will have documentation of its use (i.e., purchase receipts, bridge receipt) showing the purpose of its withdrawal.
4. If an employee does not return unused petty cash and/or provide purchase documentation within thirty (30) days of withdrawal, the Finance Manager has the authority to reimburse the Port's Petty Cash fund through customary methods including an equivalent employee payroll deduction.

Approvals:

\_\_\_\_\_  
Michael S. McElwee, Executive Director

\_\_\_\_\_  
Date

\_\_\_\_\_  
Fred Kowell, Finance Manager

\_\_\_\_\_  
Date



## Commission Memo

**To:** Commissioners  
**From:** Fred Kowell  
**Date:** February 19, 2013  
**Re:** New Phone System

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The Port currently has a phone system that has lived past its useful life. The phone system is at its capacity with regard to the number of phone lines, and staff have been sharing two phone lines for the last year. The phone system is not user friendly and changing a person's name must involve the phone company to switch a name out of the system.

Three quotes were requested from CenturyLink, Gorge Networks and Tice Electric in migrating our current phone system and other phone lines throughout our system (i.e. fire alarms, elevator lines, etc.) to a new system. In this migration it was requested that our internet and wireless capabilities be maintained or enhanced. Out of the three vendors, two submitted quotes.

Although GorgeNet's submittal is higher on an ongoing basis, it provides for a lower upfront cost. More importantly, GorgeNet provides higher transmission speeds and capacity that CenturyLink could not provide at this location. GorgeNet will be putting in fiber throughout this region which will include this office and the toll booth. In GorgeNet's quote, they provided two additional lines that were not included in the quote from CenturyLink.

A new phone system will allow conferencing and will allow staff to maintain the phone system for name changes and other minor issues. With GorgeNet the Port would also receive one bill for most of its phone lines and internet.

Staff recommends approval of the GorgeNet proposal.

**RECOMMENDATION:** Approve purchase of new phone system through Gorge Networks.

**PORT OF HOOD RIVER  
PHONE AND INTERNET SYSTEM MIGRATION**

	<u>Gorge Net</u>	<u>CenturyLink</u>	<u>Annual Variance</u>
Ongoing Monthly service	\$ 1,700.53	\$ 1,476.93	\$ (2,383.20)
One-time	\$ 1,780.00	\$ 8,759.00	\$ 6,979.00

CenturyLink requires a higher upfront cost but its lower cost does not include greater speed and capacity that fiber with GorgeNet will allow. This will be important as video is more commonly used.

# Commission Memo

**To: Commissioners**  
**From: Steve Burdick**  
**Date: February 19, 2013**  
**Re: John and Julie Benton Ground Lease, Lease Addendum No. 1- Revised**

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In October 2012, the Port Commission approved Lease Addendum No. 1 to the land lease between John and Julie Benton and the Port. Due to the runway shift, this addendum reduced the orchard portion of the lease from 20.9 acres to 19 acres and reduced the hay field portion from 10.8 acres to 1.1 acre and resulted in proportionate reductions in rent.

The Benton's did not execute this addendum and after further consideration concluded that the hay field portion of the land lease was not feasible to farm. In addition, the Benton's requested that the crop lien rights in the lease be removed from the lease agreement and addendum and Port legal counsel has no objection to the removal of these lien rights.

Deletion of the 1.1 acres of hayfield from the land lease will decrease the annual land lease rent from \$10,676 to \$9,576 during the second through the fifth years of the lease term and similar decreases in future extensions if any.

**RECOMMENDATION:** Authorize revised Addendum No. 1 to the John and Julie Benton lease to adjust the amount of leased land and rent.

**ADDENDUM NO. 1 TO LEASE**

Whereas, the Port of Hood River ("Lessor") and John and Julie Benton, ("Lessee") entered into a lease of farm land, effective November 1, 2010 and expiring October 31, 2015 ("Lease"); and,

Whereas, shifting the runway for the Hood River – Ken Jernstedt airport will reduce the amount of leased land;

Therefore, Lessor and Lessee agree that the present Lease is modified, effective on November 1, 2012, as follows:

Paragraph 5 of the Lease is amended to read as follows:

5. **Rent.** Lessee shall pay rent to Lessor at the times and in amounts required by the following rental schedule and this paragraph:

Date	Acreage	Annual Rate	Annual Rent
November 1, 2010-October 31, 2012	20.9 (Agriculture)	\$504	\$10,281.60
November 1, 2010-October 31, 2015 2012	7.5 (Non-Agriculture)	\$100	\$750

Date	Acreage	Annual Rate	Annual Rent
November 1, 2012-October 31, 2015	19.0 (Orchard)	\$504	\$9,576
November 1, 2012-October 31, 2015	0.0 (Non-Orchard Agriculture)	\$0.00	\$0

Annual rent payments totaling \$11,031.60 shall be payable in two equal installments of \$5,515.80 each on May 15 and October 15 each year during the first two years of the lease term.

Annual rent payments totaling \$9,576 shall be payable in two equal installments of \$4,788 each on May 15 and October 15 each year during the second through the fifth years of the lease term. If the Lease is terminated prior to October 15, 2015, or any amortized rent remains payable on October 15, 2015, the entire unpaid balance of the amortized prior rent, including principal and accrued interest, will be paid by Lessee when the lease ends or on October 15, 2015, whichever date is earlier.

If the lease term is extended for five years commencing on October 15, 2015, Lessee shall pay annual rent of \$10,961 payable in two equal installments of \$5,481 each on May 15 and October 15 each year. If the lease term is extended for five years commencing on October 15, 2020, Lessee shall pay annual rent totaling \$12,346 payable in two equal installments of \$6,173 each on May 15 and October 15 each year.

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

# Commission Memo

**To: Commissioners**  
**From: Steve Burdick**  
**Date: February 19, 2013**  
**Re: Guzman Brothers Mobile Towing, New Agreement**

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The Port and Guzman Brothers Mobile Towing entered into a towing agreement on June 8, 2011.

Parking in the lower parking lot at the Big 7 Building is frequently poached by employees in other nearby buildings. Since parking is in very short supply around the Big 7 Building this is a special irritant for Big 7 employees. So, the Port is in the process of signing the lower parking lot at the Big 7 Building as "Unauthorized Parking is Prohibited". Therefore, it is necessary to include this lot in the towing agreement with Guzman Brothers.

Other minor procedural changes are also desirable in the agreement. A copy of the rates paid for by the owner of the vehicle being towed is attached.

Staff recommends authorization of the attached replacement agreement with Guzman Brothers Towing.

**RECOMMENDATION:** Authorize a contract with Guzman Brothers Mobile Repair & Towing for towing service.

## TOWING AGREEMENT

February 19, 2013

**Parties:** This Agreement is between the PORT OF HOOD RIVER, an Oregon municipal corporation, (hereinafter called "PORT") and Guzman Brothers Mobile Repair & Towing, Inc. (hereinafter called "GUZMAN").

**Purpose:** This Agreement provides commitments for towing services on Port-owned property.

**Recitals:**

### IT IS AGREED:

#### A. Port

1. Port shall contact Guzman for vehicles to be towed from Port property in violation of Port "No Parking" or "90 Minute Parking Limit" or "Tow Away" or "Unauthorized Parking is Prohibited" or similar signs, or for parking along red-painted curbing in violation of a Port sign. The vehicle will be identified by plate number and state, make and color, and location.
2. Port shall, at its expense, order and install signage identifying Guzman as the towing service under authority of ORS 98.810 and ORS 98.812.
3. Port shall annually provide Guzman with a list of persons authorized to call for tows.

#### B. Guzman

1. Upon Port's request, Guzman shall tow the vehicle from Port property and place the vehicle in storage under the control of Guzman. Within one hour of the tow, Guzman shall confirm the tow by notifying the Port.
2. If Guzman responds to a tow request but the vehicle is not towed (car has moved; owner is present) Guzman shall notify the Port.
3. Prior to towing a vehicle, Guzman shall take at least one photograph of the vehicle and record the time and date of the photograph. A photograph must show the vehicle left or parked in violation of ORS 98.810. Guzman shall maintain for at least two years, in electronic or printed form, each photograph taken along with the date and time of the photograph.
4. Guzman shall provide to the owner or operator of the vehicle the information required in ORS 98.856 in the manner provided in ORS 98.856.
5. Guzman shall notify the local law enforcement agency of the location of the towed vehicle within one hour after the towed vehicle is placed in storage.
6. Guzman shall comply with all other laws applicable to towers in Oregon, including provisions of ORS 98.805 through ORS 98.818.

7. As time allows, Guzman shall periodically drive through Port properties to indicate a towing presence, and shall notify Port prior to doing so
8. Guzman shall not charge the Port for towing vehicles or periodically driving through Port properties.

**C. Terms of Agreement**

1. Modification. No modification of this Agreement will be valid unless it is in writing and is signed by the parties to be bound by the modification.
2. Waiver. Waiver by any party of strict performance of a provision of the Agreement will not affect the validity of any other provision, or the right to require future performance of the provision waived.
3. Authority to Sign Agreement. The person who signs this Agreement on behalf of Guzman warrants that they have authority to do so.

This Agreement replaces and supercedes a previous Towing Agreement between Guzman and the Port dated June 8, 2011. This Agreement shall remain in full force and effect until cancelled by either party with 10-days written notice to the other party.

**Signatures:**

**GUZMAN BROTHERS MOBILE REPAIR & TOWING**  
1348 Tucker Road  
Hood River OR 97031  
(541) 387-0329 or (541) 490-4386  
guzmanbros@aol.com

Dated: \_\_\_\_\_, 2013

By: \_\_\_\_\_

Title: Owner

**PORT OF HOOD RIVER**  
1000 E. Port Marina Drive  
Hood River OR 97031  
(541) 386-1645  
porthr@gorge.net

Dated: \_\_\_\_\_, 2013

By: \_\_\_\_\_

Michael S. McElwee

Title: Executive Director

# Guzman Brothers Mobile and Towing

	Class A/ D and A	Class B
Hook up	\$100.00	
Mileage per mile	\$4.00	\$4.00
Dollies	\$45.00	\$45.00
Stand by	\$140.00	\$140.00
2nd Person per hour	\$45.00	\$45.00
Storage per day	\$35.00	\$40.00
Labor at Scene	\$140.00	\$140.00
Special Recovery 1/4 hour	\$55.00	\$55.00
Winching 1/4 hour	\$55.00	\$55.00
Re Tow fee	\$100.00	\$75.00
Gate Fee after Hours	\$55.00	\$55.00
Flares each	\$3.75	\$3.75
RV Hook up		\$115.00
RV Storage		\$40.00
RV mileage Round Trip per mile		\$4.00
Dispatch Response Fee	\$65.00	\$65.00
Impound Fee	\$50.00	
Lean Fee	\$100.00	
After hours	\$65.00	\$65.00
Drive Line removal	\$35.00	\$35.00

**Debris disposal -all cost for collection, disposal and handling of + 30 0/0**

**Fuel surcharge may apply depending on mileage**



# Commission Memo

**To: Commissioners**  
**From: Steve Burdick**  
**Date: February 19, 2013**  
**Re: Cascade Soaring and NW Skysports Glider Concession Renewals**

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In 2011, the Port Commission approved concession agreements with Judith Newman and Joseph Deem, doing business as Cascade Soaring and with Gary Boggs doing business as NW Skysports. These agreements expired on December 31, 2012. Under these concession agreements Cascade Soaring and NW Skysports provide airplane or glider rides, instructions and related goods and services at the airport. The agreements worked well for all parties in 2012.

When the runway shift is completed later this spring Cascade Soaring and NW Skysports will conduct their business operations in the same locations and with the same operational plans as in 2012.

Staff recommends renewal of these agreements, but an increase of the concession fees from \$500.00 per year to \$750.00 per year.

**RECOMMENDATION:** Authorize one-year renewals of the concession agreements with Cascade Soaring and NW Skysports.

**ADDENDUM NO. 1 TO CONCESSION AGREEMENT**

Whereas, the Port of Hood River ("Port") and Judith M. Newman and Joseph M. Deem ("Operator"), dba Cascade Soaring entered into a concession agreement ("Concession Agreement") for airplane and glider services at the Ken Jernstedt Airfield dated May 24, 2011; and

Whereas, Port and Operator desire to renew such Concession Agreement for the entirety of 2013;

Therefore, the parties agree as follows:

Operator shall pay Port a concession fee of \$750.00 for Operator's concession privileges.

1. Such concession fee shall be due and payable on March 1, 2013.
2. The term of the Concession Agreement shall be extended from January 1, 2013 through December 31, 2013, unless terminated earlier by the Port pursuant to the terms of the Concession Agreement.
3. Except as modified by this Addendum No. 1, all terms and conditions of the Concession Agreement shall remain in full force and effect.

DATED THIS 19th DAY OF FEBRUARY, 2013

PORT OF HOOD RIVER  
An Oregon Municipal Corporation

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

JUDITH M. NEWMAN

JOSEPH M. DEEM

By \_\_\_\_\_  
Judith M. Newman, General Partner

By \_\_\_\_\_  
Joseph M. Deem, General Partner

**ADDENDUM NO. 1 TO CONCESSION AGREEMENT**

Whereas, the Port of Hood River ("Port") and Gary Boggs ("Operator"), dba NW Skysports entered into a concession agreement ("Concession Agreement") for airplane and glider services at the Ken Jernstedt Airfield dated May 24, 2011; and

Whereas, Port and Operator desire to renew such Concession Agreement for the entirety of 2013;

Therefore, the parties agree as follows:

1. Operator shall pay Port a concession fee of \$750.00 for Operator's concession privileges.
2. Such concession fee shall be due and payable on March 1, 2013.
3. The term of the Concession Agreement shall be extended from January 1, 2013 through December 31, 2013, unless terminated earlier by the Port pursuant to the terms of the Concession Agreement.
4. Except as modified by this Addendum No. 1, all terms and conditions of the Concession Agreement shall remain in full force and effect.

DATED THIS 19th DAY OF FEBRUARY, 2013

PORT OF HOOD RIVER  
An Oregon Municipal Corporation

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

GARY BOGGS, dba NW SKYSPORTS

By \_\_\_\_\_  
Gary Boggs, Proprietor

# Commission Memo

**To:** Commissioners  
**From:** Steve Burdick  
**Date:** February 19, 2013  
**Re:** Replacement of Sewage Grinder Pumps

The sewage grinder pumps at the swimming beach restroom have failed and must be replaced. These are unique grinder pumps that must be fabricated.

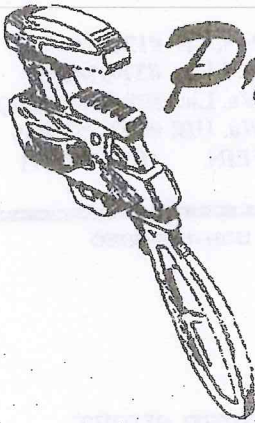
Staff solicited three bids which were:

- Pronto Plumbing Service \$11,160.07
- Devco Mechanical Plumbing \$11,868.00
- Chinook Plumbing \$13,905.00

All three quotes specify that "electrical is to be done by others." If alterations are necessary to existing pipes, the proposed price will need to be adjusted. Pronto Plumbing has examined the existing equipment and attachments and does not anticipate that any piping adjustments will be necessary. However, if the pumps do not function when installed, further action could include tank excavation and replacement or extensive uncovering, replacing and recovering of the drainage pipes. Pronto Plumbing does not have an estimate for these possibilities. If these significant unanticipated conditions exist, separate proposals will be brought to the Commissioners for consideration.

Staff recommends authorization of the Pronto Plumbing Service proposal.

**RECOMMENDATION:** Authorize contract with Pronto Plumbing Service for the installation of two sewage grinder pumps in the Swim Beach restroom not to exceed \$11,160.07.



# Pronto Plumbing Service

Day or Night, We'll Fix It Right!

PO Box 2016  
White Salmon, WA 98672  
Phone: (509) 493-1124  
Fax: (509) 493-4776  
www.ProntoPlumbingService.net

OR: 120529  
OR Lic: 37-374PB  
WA Lic: PRNTOFPS033LC  
WA UBI: 601-751-485  
FEIN: 91-1747271

February 10, 2013

Port of Hood River,

RE: Swimming beach bathroom

RECEIVED  
FEB 15 2013

Fred cc: Steve, Joe

We propose to furnish two special order direct replacement sewage grinder pumps for the price of \$10,481.07. This price includes freight shipping. If alterations need to be made to existing piping, the price will need to be adjusted at that time. Any price adjustments will be given to the Port of Hood River before any work is done.

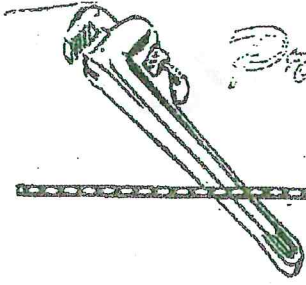
As the pumps required are special order, \$8,000 is required before materials are ordered, with the remaining due upon completion. Before ordering, Pronto Plumbing Service will provide the Port with specifications of the pumps that will be installed. After the Port receives and approves these pumps, they will be ordered and installed. Approximate delivery time after ordering is 5-6 weeks.

Addendum:

Price for removing and reinstalling mount plate and lowering hardware for new pumps will be \$679.00 that includes new bolts and gaskets electrical to be done by others.

Kaarlo Jonas, President

Pronto Plumbing Service



# Pronto Plumbing Service

P.O. Box 2016

WHITE SALMON, WA 98672

Or. CCB #120529  
Or. Lic. #37-374PB  
Wa. Lic. #PRONTPS033LC  
Wa. UBI #601-751-435  
FEIN #91-1747271

FAX: 509-493-4776

DISPATCH: 541-387-6767

WAREHOUSE: 509-493-4380

DATE: 2/15/13 PAGES 1 + COVER SHEET.

TO: Port of Hood River FAX # 541-386-1395

RE: Grinder pumps

ATTN: Joe

\*Addendum

FROM: Kaarlo @ PRONTO

# DEVCO MECHANICAL Inc.

INDUSTRIAL • COMMERCIAL • RESIDENTIAL  
PLUMBING • HEATING

# PROPOSAL

PO Box 966 1539 Bargeway Road  
The Dalles, OR 97058 CCB#94244  
(541) 298-8889 dh (541) 298-8111

**JOB NAME:** Grinder Pump Replacement

**LOCATION:** Port of Hood River

**Date:** 2/4/2013

**TO:** Port of Hood River  
**Attn:** Joe Pounders  
**Phone:** 541-490-6186  
**Fax:** 541-386-1395

We hereby submit specifications and estimates for:

- 1) Provide and Install the Following
  - a) 2- Myers WGX30H-21-25 grinder pumps
  - b) Freight included
  - c) Approximately 6 weeks for pumps to arrive
  - d) Re-use chains for lowering and raising of pumps
  - e) All electrical by others
  - f) Total for the above = **\$11,868.00**

RECEIVED  
FEB 04 2013

Fred

**Note:** This proposal is for supplying and installing pumps only. Anything beyond this will be billed on a "Time and Materials" basis

WE PROPOSE hereby to furnish material and labor - - complete in accordance with these specifications, for the sum of: **\$11,868.00**

Payable as follows: **Due upon Completion**

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Worker's Compensation Insurance.

AUTHORIZED SIGNATURE 

Note: This proposal may be withdrawn by us if not accepted within 30 days.

**ACCEPTANCE OF PROPOSAL** - - The prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature \_\_\_\_\_ Date \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_

CCB#94244

**DEVCO  
MECHANICAL**  
INDUSTRIAL • COMMERCIAL • RESIDENTIAL  
**PLUMBING • HEATING**

**PO Box 966  
1539 Bargeway Road  
The Dalles, OR 97058**

**(541) 298-8889  
Fax (541) 298-8111**

## FAX COVER SHEET

Date Sent: 1/4/2013

To: Joe Pounder

Subject: Proposal

From: Kathy

Reply Requested: \_\_\_\_\_

Pages Following: 1

Comments: Joe,  
Here is your proposal for the  
Corindon Pumps. Thank you.  
Kathy



**Chinook Plumbing & Heating, Inc.**  
**1483 Markham Road**  
**Hood River, Oregon 97031**  
**Phone (541)386-3388 Fax (541)386-5591**  
Oregon License # 86984 Washington License # Chinopho 77JG

**RECEIVED**  
JAN 30 2013

January 28, 2013

<u>Proposal submitted to:</u>	<u>Work to be performed at:</u>
Name: Port of Hood River	Name: Port Marina Bathrooms
Street: 1000 E Port Marina Drive	Street:
City: Hood River, OR 97031	City: Hood River, OR 97031
Phone: (541) 308-7935 Joe	Fax:

**Proposal**

We hereby propose to furnish all the materials and perform all the labor necessary for the completion of: Replace two Myers WGX30H21-25 Grinder Pumps with two of the same kind. Bid includes installation of two new Myers WGX 30H-21-25.

NOTE: An electrician must redo the wiring. The cost of this is excluded from the bid.

Includes:

- 2 Myers WGX 30H-21-25
- Installation
- Shipping Cost

Excludes:

- Electrical connection / Disconnection
- Work completed to date

All material is guaranteed to be as specified and the above work to be performed in accordance with the drawings and specifications submitted for above work and completed in a substantial workmanlike manner, for the sum of **\$13,905**. To be billed: A deposit of \$6,000, and \$9,905 due at completion of bid.

Any alteration of deviation from above specifications involving extra costs will be executed only upon written order and will become an extra charge over and above the estimate. Owner to carry fire, and other necessary insurance upon above work. Workers Compensation and Public Liability insurance on above work to be taken out by Chinook Plumbing and Heating, Inc... Payment is due upon receipt of invoice. All outstanding balances not paid within thirty (30) days from the date of invoice are charged interest of 24% per annum. If this invoice is placed in the hands of attorney for collection, the customer promises and agrees to pay Chinook Plumbing its reasonable attorney fees and collection costs, even though no suit or action is filed. If suit or action is filed, the Courts, in which the suit or action, including any appeal, is arbitrated, heard or decided. The liability of the company and its employees, from whatever cause arising, including but not limited to, breach of contract and negligence, shall be limited to the contract sum.

Respectfully Submitted \_\_\_\_\_  
President Chinook Plumbing & Heating Inc.

This proposal may be withdrawn, if not accepted within 10 days

Date accepted: \_\_\_\_\_ Signature: \_\_\_\_\_

## Commission Memo

**To:** Commissioners  
**From:** Fred Kowell  
**Date:** February 19, 2013  
**Re:** Close CenterPointe Community Bank Account

The Port opened up an account with CenterPointe Community Bank several years ago to diversify our banking relationships during the recession. Today the balance in our account is \$1,808. Each month we are charged a monthly fee (i.e. \$12) and our balance is slowly decreasing. With the current banking strength of Columbia State Bank, our need to continue to have another bank account is diminished. The Port has not used this account and any future investment needs like CDs can be accomplished via the state local government investment pool or Columbia State Bank.

It is appropriate that every five years the Port issue a request for proposal on banking needs for the Port. This process should be carried out in the next two years and would allow the Port to determine its optimum banking relationship within the community.

**RECOMMENDATION:** Approve Resolution No. 2012-13-2 authorizing closure of the CenterPointe Community Bank account and transfer any remaining funds to Columbia State Bank.

**RESOLUTION NO. 2012-13-2**

Resolution Approving Closure of Corporate Bank Account  
with CenterPointe Community Bank

**WHEREAS,** the Port of Hood River Commission would like to close the existing Corporate Bank Account with CenterPointe Community Bank.

**BE IT RESOLVED:**

1. The Port Commission hereby authorizes the closure of the existing corporate bank account and related banking services with CenterPointe Community Bank.
2. Funds remaining from the CenterPointe account will be transferred to the existing corporate bank account with Columbia State Bank.
3. This resolution rescinds Resolution No. 2008-09-2.

**ADOPTED BY THE BOARD OF COMMISSIONERS** this 19<sup>th</sup> day of February, 2013.

\_\_\_\_\_  
Jon Davies

\_\_\_\_\_  
Brian Shortt

\_\_\_\_\_  
Fred Duckwall

\_\_\_\_\_  
Hoby Streich

\_\_\_\_\_  
Rich McBride

## Commission Memo

**To:** Commissioners  
**From:** Fred Kowell  
**Date:** February 19, 2013  
**Re:** Check Signing – Financial Policy Change

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The Port is governed by ORS 777.405 which requires two signatures on a check or warrant. The Port's current policy requires two signers with the Executive Director and the Commissioners as approved signers.

The current process involves staff communicating and making sure a check run is completed when a Commissioner will be available. Although we have not had an instance where the Port could not get a signer, there are times whereby we must have staff wait or initiate a check run during specific times in the week.

An alternative to this approach will be to allow the Finance Manager and Executive Director to sign off on checks while still maintaining Commissioners as signers. This will make the check signing process more efficient and with the requirement of dual signatures, the internal control process is maintained. In addition, the Finance Manager will provide the Treasurer of the Board with a check register at each meeting, such that the Treasurer can verify what has been paid.

Currently, the Board must approve any payment over \$5,000. This is a very good internal control and one that should continue to be maintained. The check register is a system-generated report that will allow the Treasurer to review the sequence of the check number (internal control), amount, date and vendor name. The Port's financial policies will be updated with regard to this change.

**RECOMMENDATION:** Adopt Resolution No. 2012-13-3 approving check signing authority.

**RESOLUTION NO. 2012-13-3**

Resolution Approving Check Signing Authorization

**WHEREAS,** the Port of Hood River Commission is authorized under ORS 777.405 to designate persons to sign Port checks; now therefore

**BE IT RESOLVED:**

1. Two Commissioners of the Port of Hood River with one being the Treasurer, the Executive Director or the Finance Manager are authorized to sign Port checks. Checks for amounts of \$5,000 or more must first be approved by the Board of Commissioners.
2. This resolution replaces Resolution No. 1997-98-2.

**ADOPTED BY THE BOARD OF COMMISSIONERS** this 19<sup>th</sup> day of February, 2013.

\_\_\_\_\_  
Jon Davies

\_\_\_\_\_  
Brian Shortt

\_\_\_\_\_  
Fred Duckwall

\_\_\_\_\_  
Hoby Streich

\_\_\_\_\_  
Rich McBride

# Commission Memo

**To: Commissioners**  
**From: Steve Burdick**  
**Date: February 19, 2013**  
**Re: Consultant Service for Asphalt Evaluation**

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The staff draft evaluation of the condition of the Port's airport, industrial and commercial properties is now complete with one exception – the evaluation of 15 Port owned parking lots. Staff does not feel qualified to perform this evaluation and therefore solicited three proposals to do this task.

The scope of work is to:

1. Inspect and classify the pavement in each of the 15 lots into one of five categories from Very Good to Failed.
2. Recommend an appropriate level of maintenance ranging from:
  - a. No action
  - b. Slurry seal
  - c. Thin overlay
  - d. Thick overlay
  - e. Reconstruction
3. Estimate the cost of the recommended treatment.
4. Evaluate the consequences of performing the recommended level of maintenance and the physical and financial consequences of deferring maintenance.

Proposals were solicited from three firms for this work. The proposed fees for these services were:

- |  |                    |
|--|--------------------|
| 1. Capitol Asset & Pavement Services, Inc. | \$ 4,999 - \$6,250 |
| 2. Slca Consulting Civil Engineers         | \$11,035           |
| 3. WHPacific                               | \$ 5,790           |

Hood River City and County presently retain Capitol Asset & Pavement Services, Inc. to maintain their pavement evaluation program.

The difference between Capitol Assets \$4,999 and \$6,250 quotes are:

- 1) **Software Training** - \$6,250 option: The software used to calculate long and short term pavement needs can take the average person an all day training period to learn. Under the \$4,999 option, Capitol Assets would bypass this training of Port personnel and produce desired reports in-house as requested by Port staff.
- 2) **Meetings to Present Findings** - \$6,250 option: Upon conclusion of the field work and the follow up budget options reporting, Capitol typically presents findings to various commissioners, advisory boards, and or facility managers. Under the \$4,999 option, Capitol Assets would not travel to the Hood River area to present this data. Instead, they would make personnel available via phone conferencing to explain and discuss all findings as requested by Port staff.

**RECOMMENDATION:** Authorize a contract with Capitol Asset & Pavement Services, Inc. for pavement evaluation in an amount not to exceed \$4,999.00 plus reasonable reimbursable expenses.

## **Executive Director's Report**

February 19, 2013

### **Staff & Administrative**

- The first Commission meeting in March will occur when President Davies and I will be in Washington D.C. for the PNWA conference. We will need to decide whether to postpone the meeting or cancel it.
- We have placed newspaper advertisements for citizens interested in serving on the Budget Committee. We are seeking two new members.
- Attached is a proposed schedule for review and consideration of the FY 2014 budget. Commissioners should verify that they will be able to attend the scheduled meetings or whether it should be modified.
- For the past few years we have scheduled property tours for Commissioners in advance of Spring Planning. We will need to confirm whether the Commission wants staff to schedule a tour again this year.
- Commissioner McBride and I attended the SDAO conference in Portland on February 7, 8 and 9. We attended some excellent training sessions and met with other ports at the Ports Caucus. Don Mann, General Manager of the Port of Newport, was re-elected to represent ports on the SDAO board.

### **Recreation**

- We have received a proposal from Mr. Chris Boyle to operate a winch launch for wake boarders in the Hood River just north of the Spit. The proposal has been reviewed by the Marine Deputy and OSMB has approved it subject to conditions. Staff will brief the Commission on this proposal at the February 19 meeting and the Commission will need to direct staff whether to prepare an agreement that would allow this use to occur in 2013.
- Staff is continuing to discuss possible locations and terms for Big Papas, the food vendor that has been on the Event Site lawn the last three years. This has been a challenging discussion and it is not clear whether an agreement can be reached. Big Papas has inquired whether a liquor license is permissible at the Luhr Jensen food vendor location. (See attached diagram.) Staff requests feedback from Commission on this issue.
- The new air photo of the waterfront was taken on February 1. A copy is attached.

### **Development**

- Hood River Painting is working on the Lot #2 building and needed a nearby location for supplies and equipment. Based on the new real estate policy I signed a lease on the Jensen Building Breezeway Unit #4 for \$85.00 per month. They are expected to use the space for five months.
- On February 11, the City of Hood River Urban Renewal Agency approved a new financing agreement related to the Waterfront URA. This is an action



item for Commission consideration on February 19. Based on likely approval, the URA authorized staff to bid the park parking project.

- The PocketFuel Tenant Improvement Project is now out for bids. An optional walk-through was conducted on February 15; the bid date is February 28.
- Craig Crotteau (Ball Janik) and I met with senior staff at the Portland District office of the Corp on February 12 to discuss the Nichols Basin. We discussed concepts to enhance the west edge of the basin (including the proposed bike/ped trail) and issues associated with the existing flowage easement.

### **Bridge/Transportation**

- The lift span center line has been repainted and the facilities department is on the bridge weekly for small spot-welding jobs. As the weather improves they plan to section off the bridge, either late evenings or early mornings in order to minimize traffic impacts, to continue striping efforts and replace missing reflectors.

## Spring Planning and Budget Calendar

**APRIL 2013**

Monday	Tuesday	Wednesday	Thursday	Friday
1	2 Comm Mtg 5pm	3	4	5
8	9	10	11	12
15	16 Spring Planning-noon w/lunch; Comm Mtg follows	17	18	19
22	23	24	25	26
29	30			

**MAY 2013**

Monday	Tuesday	Wednesday	Thursday	Friday
		1	2	3
6	7 Budget Comm 5pm w/dinner & Comm Mtg to follow as necessary	8	9	10
13	14	15	16	17
20	21 Comm Mtg 5pm Budget Hearing 5pm	22	23	24
27 Memorial Day (Office Closed)	28	29	30	31

**JUNE 2013**

Monday	Tuesday	Wednesday	Thursday	Friday
3	4 Comm Mtg 5pm	5	6	7
10	11	12	13	14
17	18 Comm Mtg 5pm Budget Adoption	19	20	21
24	25	26	27	28

## Michael McElwee

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**From:** Liz Whitmore <lwhitmore@portofhoodriver.com>  
**Sent:** Tuesday, February 12, 2013 12:07 PM  
**To:** Michael McElwee  
**Subject:** FW: Water Winching Device Permit  
**Attachments:** Winching Diagram Location.pdf

Michael,

Received feedback from Jerry and Mark Worth on this and forwarded recommendations to the State Marine Board. Mike Anderson also reviewed and approved safety procedure. The Marine Board approved the permit with the parameters outlined below. Mark requested the first two and I added the next three. We will need to have our own permit agreement with Chris to operate the winch on Port property. I will write up a draft and have Jerry review.

Liz

**From:** LeTarte, June [<mailto:june.letarte@state.or.us>]  
**Sent:** Thursday, February 07, 2013 9:53 AM  
**To:** Chris Boyle  
**Cc:** Liz Whitmore; [mike.anderson@co.hood-river.or.us](mailto:mike.anderson@co.hood-river.or.us); Henry, Randy  
**Subject:** Water Winching Device Permit

Hi Chris,

Thanks for getting back to me. Your location diagram and safety procedure has been reviewed by our Boating Safety Manager, Hood River Sheriff's Office, and the Port of Hood River.

Here are the parameters of the Special Use Device Permit:

1. Winching will not be permissible on windy days when kiteboarders are launching or landing.
2. Winch setup location needs to be moved 20 feet to the north.
3. The permit will only be issued to you, as the operator of the device, no one else. You must be present when device is in operation.
4. You need to have a permit from the Port of Hood River. I do not know what their permit requirements are. Please contact the Port.
5. The Marine Board permit will be issued conditionally, on a trial basis, and may be revoked, at any time.

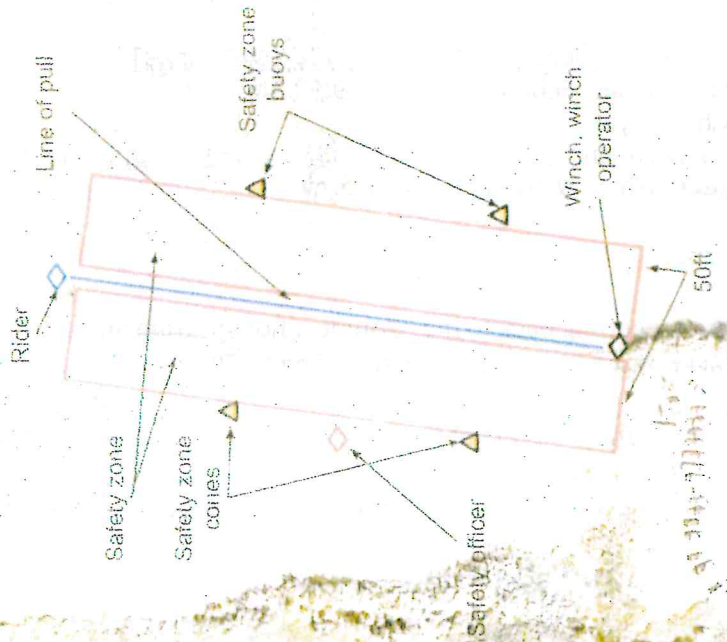
The Marine Board is ready to move forward with issuing the permit, based on the above criteria, once we receive verification the location change, as requested.

Thank you,

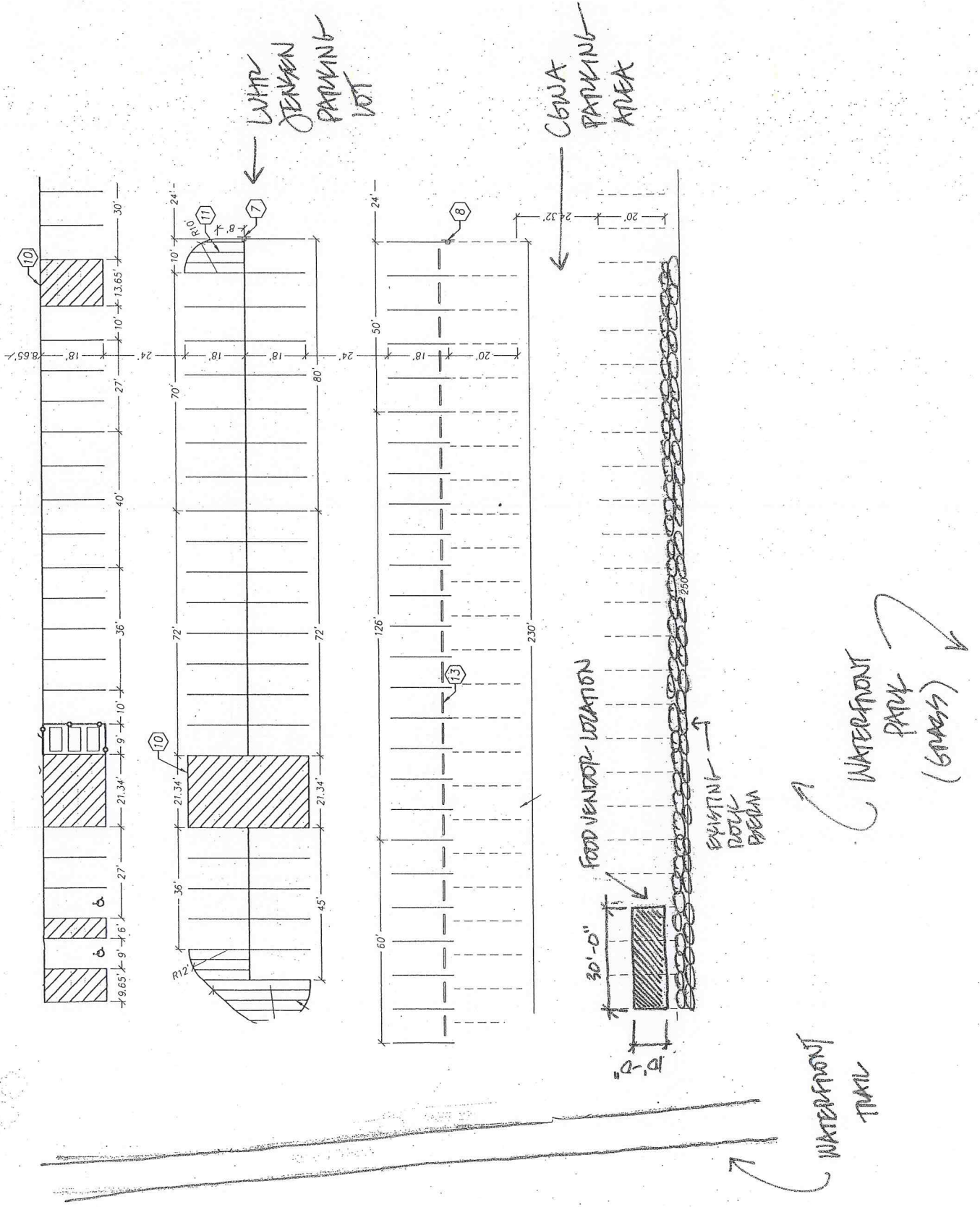
*June LeTarte*

Executive Assistant - Office of the Director

# Winching Safety Procedure- Diagram



LWHR JENSEN FOOD VENDOR LOCATION





Port of Hood River  
Photo Date: February 1, 2013

# March 2013

## Commission Calendar

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1	2
3 PNWA Mission to DC McElwee & Davies	4 PNWA Mission to DC McElwee & Davies	5 PNWA Mission to DC McElwee & Davies  <i>Comm Mtg 5p ?? (postpone or cancel?)</i>	6 PNWA Mission to DC McElwee & Davies	7 PNWA Mission to DC McElwee & Davies	8	9
10 Daylight Savings	11 URA Mtg-Shortt, Streich 6pm City Hall	12	13	14	15	16
17	18 KIHR Radio 8am	19 Comm Mtg 5pm	20	21	22	23
24	25	26	27	28	29	30
31 Easter						Notes: Steve Burdick: out March 21-April 3

February 2013							April 2013						
S	M	T	W	Th	F	Sa	S	M	T	W	Th	F	Sa
					1	2							
3	4	5	6	7	8	9	7	8	9	10	11	12	13
10	11	12	13	14	15	16	14	15	16	17	18	19	20
17	18	19	20	21	22	23	21	22	23	24	25	26	27
24	25	26	27	28			28	29	30				

*Port of Hood River Marina Ad-hoc Committee  
Meeting Minutes of January 29, 2013  
Marina Center Boardroom  
8:00 A.M.*

*Present:* Commissioner Jon Davies; Members Steve Tessmer, Josh Sceva, Tammy Lakey, Bart Vervloet; from staff, Michael McElwee and Mellissa Halseth

*Absent:* None

President Jon Davies called the meeting to order at 8:03 a.m.

1. *Additions to Agenda:* Add discussion of boat launch area.

2. *Approve Minutes of October 23, 2012 Meeting:* Approved

3. *Discussion Items:*

- Review of Recent Commission Actions: Commissioner Davies reviewed the need for the rate increase that included upgrading the electrical system and replacement of the boathouse dock. Staffs suggested a review of options and approach to financing the boathouse docks as well as identify appropriate goals and objective for discussion at the next meeting.
- Sublease Policy: Revise Rules & Regulations to allow smaller boats in larger slips. Staff to research nightly rates for subleasing.
- Marina Action Plan: The committee reviewed the Marina Action Plan. There was a request to pipe water to the fuel dock.
- Electrical Upgrade Construction Schedule: The proposed schedule estimates the electrical upgrade would be complete by July pending permitting.
- Boat House Dock Replacement Schedule: Staff is working with Marina Engineer to prepare drawings that will be submitted for permitting with the COE. The Commission will review the next steps after permitting is received.
- Exclusive Marina Restrooms: Key card access marina restrooms will be exclusive use to moorage tenants from Oct. 1-April 15.
- Boat Launch Area: Boat launch ramp drops off and needs to be extended Staff will research possible temporary fix and potentially include a ramp extension in the Transient Dock Replacement Project.

4. *Agenda Items for Future Meetings:*

- 2007 Marina Master Plan (late spring)
- Transient Dock Replacement Plans

5. *Next Meeting:* Tuesday, February 26, 2013 at 8:00 a.m. (Bart Vervloet will be absent, Lance Staughton will represent the Yacht Club)

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



**From:** Hiemstra, Hal [mailto:hhiemstra@balljanik.com]

**Sent:** Thursday, February 14, 2013 6:39 AM

**To:** Michael McElwee

**Subject:** FW: INFRASTRUCTURE: WRDA will be T&I's first order of business -- Shuster

They are moving quickly on both the Senate and House side on WRDA -- I've been reaching out to Markley's office concerning Nichols Boat Basin and the flowage easement. Craig gave me a briefing on your positive meeting with the Corps in Portland.

Hal

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## **INFRASTRUCTURE: WRDA will be T&I's first order of business -- Shuster**

Annie Snider, E&E reporter

E&E News PM Published: Wednesday, February 13, 2013

The new chairman of the House Transportation and Infrastructure Committee said his panel's first order of business will be passing a new Water Resources Development Act, signaling a major effort by both chambers to complete a bill this year.

"We need to address America's water transportation deficiencies -- aging inland navigational systems, ports ... and making sure the Army Corps is going out there and not studying things endlessly and wasting money, but getting to the work that's important," Rep. Bill Shuster (R-Pa.) said this morning at an infrastructure conference held by the U.S. Chamber of Commerce.

"Investing in these modern locks and dams to make sure these channels are functioning not only creates jobs in constructing them, but long term, they have a return on investment."

Shuster said he has discussed the issue with Senate Environment and Public Works Chairwoman Barbara Boxer (D-Calif.), who launched a major push for a WRDA bill last fall. Her panel has held two hearings so far this session, and its members are currently drafting a bipartisan piece of legislation.

Shuster acknowledged that passing a WRDA bill, which has traditionally been composed of a number of earmarks, will be tough amid the Republican ban.

"Producing a WRDA bill is going to be a challenge because members of Congress can no longer specifically request projects that they know will have significance to the national economy, but I'm determined to find a way to address those priorities as we move forward," he said.

Shuster said it will be up to lawmakers and industry to educate citizens about why the federal government should be investing in water infrastructure, which he said is one of the least understood modes of transportation.

 **Hal Hiemstra**  
LLP Director, Government Affairs  
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Washington, DC 20005

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Attending: Linda Hirata, Glenn Brittenham, Fred Kowell, Melissa Child, Michael McElwee, Genevieve Scholl

1. Fred called the meeting to order and reviewed the meeting notes from the 1.15.2013 meeting.
2. Genevieve presented a sample section (Bridge Lifts) of the Toll Collectors Operation manual for format and content review. The group approved the format. In review of the section contents, the group made several edits.
  - a. Next steps: Genevieve will send packets of sections to the group for review, then once we have a completed draft the group will review the document in its entirety and seek comment from other toll, office and administrative staff. Goal is to have a complete draft by end of March.
3. Fred reviewed list of operational updates since the last meeting:
  - a. New policy on overtime during holidays is complete
  - b. Gravel sweeping was done by maintenance staff with the loader, but it still needs swept up.
  - c. Jack needed to replace a cable in order for the new dual monitors to be installed.
  - d. Fred is getting closer to having a laptop set up for use by Toll staff in the Toll Booth. Once it's ready, Fred will deploy a "super user" scenario to provide training on the use of the laptop. (Two people will be trained, who will then train others). Among other things, this laptop will enable toll staff access to:
    - i. Schedule calendar
    - ii. Email
    - iii. Announcements / Alerts
    - iv. Lead Toll Collector meeting notes
    - v. Other systems.
  - e. Daily bank deposit prep:
    - i. Veronica and Chris have been trained and have begun doing the bank deposit prep this week. Keena has also begun receiving training for the front desk duties

that will need to be covered when Malia begins her maternity leave this week. (Keena will work the front desk Mon-Thurs, and Chris be there on Fridays)

- f. Lighting: Glenn
    - i. Night drop and Toll booth lighting have been fixed, but now there are two other lights on the Port building that are out.
    - ii. Several Marina parking lot lights are also still out.
    - iii. Sign lights and street flood lights are all fixed with the exception of one exterior toll booth light that is on order.
  - g. Booth interior cleaning
    - i. Fred explained that Chris and Val will each do one "deep clean" of the Toll Booth once a month, resulting in two monthly cleanings.
4. New issues from the office: Fred
- a. Programming fix to the double-counting problem on lanes 2 & 3 (Cross-lane reads). Fred explained that he is working on a programming fix for this problem, favored over a hardware fix because it is easier to do and much less expensive to maintain. Fred expects this fix to be completed by June 30.
  - b. Need to build a list of signage needs: Fred asks that toll staff compile a list of signs we need that includes notes on the signs' locations, sizes, content and other pertinent information. He wants to address these needs all together at once.
  - c. Web Portal: The Port Commission has approved the development of a web portal for the BreezeBy system. This will take a while and Fred will report progress as we move forward.
  - d. Credit Card processing at the Booth: Fred notes that, in response to customer demand and the impact on traffic, staff time, and revenue, it is clear that eventually we will need to be able to receive payment of tolls with credit cards. GorgeNet is working on a fiber optic install and this will hasten the process. Again, Fred will report on progress.
  - e. Damage to window slider tracks: Fred spoke with Joe about the window tracks and Joe feels the entire thing will need to be replaced, not just one component. Goal is to get this done before summer.
  - f. Flower pots: Veronica will determine the design/placement/contents, then Joe will install. Toll staff will need to water the flowers.

- g. Flag pole: Fred will speak with Joe about the flag poles. The group had a general discussion about history, placement, maintenance requirements and flag etiquette protocols.

5. New issues from the Booth: Linda

- a. Linda reports that there was an incident this week with a bicyclist crossing the bridge from the Washington side. Joe responding by driving onto the bridge to offer the man a safe crossing in the pickup, which was refused. The group discussed the issue in detail. Fred will issue a new policy that in the event of another bicyclist or pedestrian on the bridge, staff are directed to notify the police immediately, then notify the office.
- b. Linda reports an incident of a customer walking from the office to the Toll Booth (up the stairs and crossing lanes), saying she was told she had to pay for her crossing there after she had paid her BreezeBy balance to get off Inactive. This was obviously a misunderstanding of the direction that office staff gives every customer - new money put on your account doesn't show up until after midnight, so should you cross again today, you'll have to pay cash.

6. Adjourn

# Commission Memo

**To: Commissioners**  
**From: Michael McElwee**  
**Date: February 19, 2013**  
**Re: Lot #1 Planning-- Next Steps**

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The initial planning for Lot 1 is complete. The executive summary of the Preliminary Concept Plan (PCP) is attached. The entire document, including Appendices and the "Planning Notebook" are now posted on the Port's website for public review. This concept planning effort was intended to provide a basic direction for long-term development of Lot #1. Now it is important to determine the specific steps necessary to make the site development-ready. This will take considerable effort and investment of Port funds over time. It is important to have consensus around the general approach and timeframe before proceeding.

The following is a recommended approach and list of specific actions for Commission consideration.

## **I. Overall Approach**

The Lot #1 site is highly visible to the community and there is heightened attention and interest due to the recent projects proposed for the Nichols Basin. Therefore, it is important to have a better consensus about what the completed preliminary plan represents and what the general approach should be to move the pre-development phase forward. This will affect our allocation of staff resources and spending in FY 13 and 14.

The following are key general assumptions to guide our next actions:

- The Preliminary Concept Plan is the initial basis for future development. There may be more creative development proposals to consider in the future. Any pre-development actions we take should allow for future flexibility.
- Lot #1 is a "capstone" property. It is appropriate to move thoughtfully even if this takes more time to see construction. Carrying out all the pre-development steps necessary is likely a 2-year effort. Initial construction is likely 3-5 years away.
- The Port should take reasonable pre-development actions and not wait until the Nichols Basin projects are resolved or a specific developer is identified.
- Greater visibility and increased interest in the Nichols Basin will require a significant emphasis on public input.
- The cost of new infrastructure will be a major challenge. The Port will need to seek grants and loans to install major pieces of infrastructure, especially recreational facilities, and cannot rely only on its own capital.

## II. Recommended Actions

The following are assumptions and recommended actions to be carried out in the next 18 months. See attached general schedule.

<u>Task</u>	<u>Responsibility*</u>	<u>Cost</u>	<u>Completion</u>
	A= Consultant		
	B= Port Staff		

### A. TECHNICAL

- *Lot #1 is now listed by the State as a "Decision-Ready" property. However, significant additional technical information is needed.*
- *Technical data is will be needed for better site development cost estimates and will be needed regardless of specific future development plans.*

#### Actions:

A. Detailed Site Survey	A	\$10,000	April
B. Environmental Evaluation	A	\$10,000	July
C. Geotechnical Investigation	A	\$15,000	July
D. Storm Water Assessment	A	\$25,000	July

### B. POLICY

- The Commission should identify certain key policies early in next phase of planning to clarify the overall development parameters and communicate them to the public.
- Clear policies will have a significant impact on future design plans and on public outreach efforts.
- The city is a key partner in developing appropriate and supportable policies.

#### Actions:

1. Refine Development Objectives	B		May
2. Design Guidelines	B		May
3. Sale/Lease Policy	B		August
4. Phasing & Financing Strategy	B/A	\$10,000	2014

### C. DESIGN & PLANNING

- Refinements to the concept plans for Zones 'B & C' are needed. The Port should proceed with additional design work to better determine development feasibility, infrastructure costs, regulatory approvals needed and Port policy.
- The concept plan for Zone 'A' is generally acceptable for the time being and provides a basis for assessment of parking, storm water, infrastructure, etc.

- A larger assessment of the Nichols Basin may be needed to better identify existing opportunities & constraints, uses (recreational, access and habitat) and regulatory issues. This is in keeping with the intent of the "Babitz/Davies Plan".

*Actions:*

1. Parking Assessment	A	\$ 25,000	August
2. Refined Zone A & B Plans	A	\$ 40,000	2014
3. Updated Cost Estimates	A	\$ 10,000	2014
4. Phasing & Financing Strategy	A/B	\$ 5,000	2014

**D. REGULATORY**

- Approval of a zone swap is fundamental to the conceptual development plan and there is significant uncertainty whether the City will support this action.
- The flowage easement brings additional development uncertainty and it will be important to work closely with the COE to obtain approval for work in Zone 'C'.
- City approval of a subdivision plan is a fundamental step to future development of Zones A & B.
- The Port should commence reasonable regulatory and entitlement efforts and should not wait until the Naito project is resolved or a developer is identified.

*Actions:*

1. Zoning Exchange Assessment	B		March
2. Zoning Exchange Application	A/B	\$5,000	June
3. COE/DSL Pre-Application Plans	A/B	\$10,000	2014
4. COE Easement Construction Approval	B		2014
5. Preliminary Subdivision Plan Application	B/A	\$30,000	December
6. Public Improvement Agreement	B	\$5,000	2014

**E. PUBLIC INVOLVEMENT**

- Significant additional public input will be necessary to develop appropriate Port policies and final design plans. Additional focused discussion with key stakeholders is also needed.
- Key issues: vehicular access to the Nichols Basin, zoning, development type, density and height.
- All information including documents, correspondence, technical data, etc. associated with Lot #1 shall be posted on the Port's web site.



Actions:

- |                                   |     |          |
|-----------------------------------|-----|----------|
| 1. Port/City/Public Working Group | B/A | April    |
| 2. Stakeholder Panels             | B   | May/June |
| a. Developer                      |     |          |
| b. Recreational                   |     |          |
| c. Environmental                  |     |          |
| 3. Public Meetings                | B/A | Ongoing  |
| 4. Port/City Joint Work Sessions  | B   | Ongoing  |

Staff will prepare a more detailed schedule and task list and begin implementation of these actions based on the Commission's direction.

**RECOMMENDATION:** For discussion.



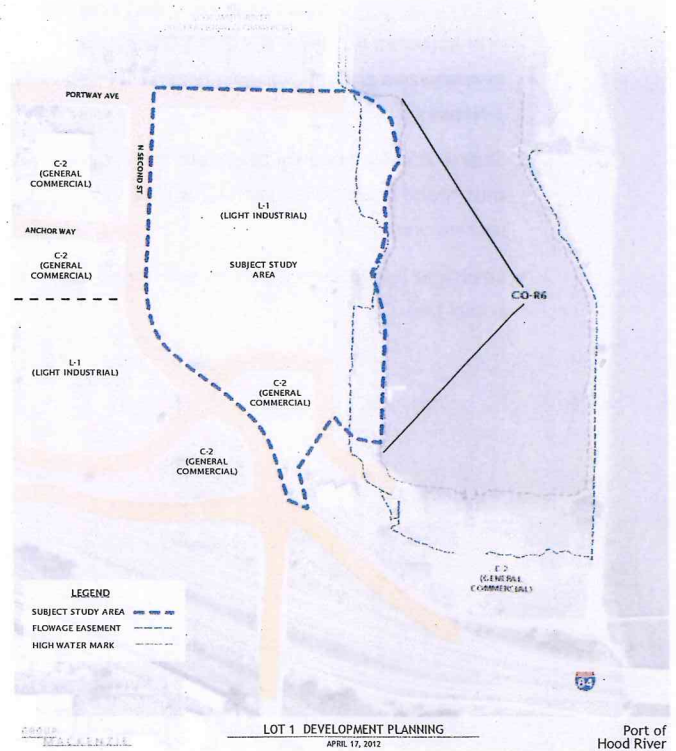
# 1.0 EXECUTIVE SUMMARY

Group Mackenzie, working with Port staff, has prepared this Lot 1 Preliminary Concept Plan to guide future development. This Concept Plan has been prepared as part of the implementation of the 2007 Hood River Waterfront Development Strategy. The action items in the development strategy called for exploring the market potential and identifying a development concept for Lot 1 that would position the property for future developments.

This Concept Plan was prepared between January and December of 2012 and includes:

- Evaluation and documentation of existing conditions on the site including utilities, easements, rights of way and elevations;
- Preparation of a market analysis of light industrial market conditions, opportunities and constraints;
- Identification of development objectives and issues;
- Preparation of concept alternatives;
- Finalization of concepts and preliminary cost estimates;
- Identification of implementation issues; and
- Public outreach and input.

The concept plan includes both the upland portions of Lot 1 and the portion of the site adjacent to Nichols Basin. The plan was developed with input from the Port Commission at four public Commission meetings, one separate public meeting and two Technical Advisory Meetings specific to the Nichols Basin trail and park element. Additional technical input was provided by E.D. Hovee and Company, who prepared market research, assessment and interviews with local businesses; and from Project Ecological Development, a Portland-based development firm familiar with development in the Hood River Area.



Port of Hood River  
Figure 1.

# Commission Memo

**To: Commissioners**  
**From: Michael McElwee**  
**Date: February 19, 2013**  
**Re: Federal & State Advocacy**

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Ball Janik has represented both the Port and County for several years as an advocate in Washington D.C. relative to legislative initiatives and funding opportunities. The firm also represents the Port in Salem regarding state issues. Because we are preparing for the PNWA "Mission to Washington" in March and because the 2013 state legislature is now in session, it is timely to discuss the priority issues that we want Ball Janik to pursue over the next several months. The following represents a summary of these priority issues for Commission direction:

## **Federal**

As we have discussed, changes at the federal level of the past few years have removed the annual process of identifying earmark requests and how federal funding more commonly flows to the states for distribution. Nevertheless opportunities still exist through federal programs (e.g. TIGER grants, EDA funds) that can advance the Port's mission and broader legislation may have a positive or negative impact on the Port's operations.

- **Transportation Funding**

- Seek grant opportunities and/or appropriations for repairs (painting, lift span upgrades, etc.) to the Hood River Bridge.
- Long-term opportunities for bridge replacement funding.

- **2013 WRDA Bill**

- Modify or extinguish the COE flowage easement in the Nichols Basin through the expected 2013 WRDA bill.
- Authorize a Recreation/Habitat study of the Hood River Delta.

- **Industrial Infrastructure**

- Identify grant and/or appropriation opportunities for funding of roads, utilities and other infrastructure focused on Lot #1.

- **Bicycle/Pedestrian Projects**

- Completion of the bike/ped system on the waterfront, especially around the Nichols Basin will be reliant of grant opportunities. Although these are more commonly available from state agencies, some federal funding opportunities may exist.

- **Regional Collaboration**

- Help strategize efforts to facilitate a Gorge-wide conference to identify regional issues of importance, build consensus around actions, increase awareness of legislator's and achieve results.

## **State**

Caitlin Sause represents the Port in Salem for Ball Janik. The 2013 legislative session is underway and approximately 3,000-4,000 bills are expected to be "dropped" for consideration. Of these, usually only a few hundred are actually approved and adopted into law. Many of the proposed bills for this session have gone through the Legislative Counsel's office and are available for public review. Some have been introduced in legislative hearings.

The role of Ball Janik on state matters is limited given the relatively small size of their retainer. However, especially prior to and during the legislative session they play a primary role to identify pieces of legislation that might pose a threat, hindrance or additional cost imposed on our operations or identify legislation that might provide a funding opportunity or other means to achieve a Port objective.

In the past session there were very few matters that affected us in any significant way. This session there are proposed pieces of legislation that could affect us more directly. Based on the bills that are known, I have worked with Caitlin to identify the following two categories of bills for Commission consideration:

### **Advocate/Oppose**

The following bills may pose a substantive opportunity or challenge for the Port. Ball Janik and staff will meet with our local legislators to convey our position and shall seek opportunities to provide testimony in legislative hearings (See attached summaries):

*SB 0243: Prevailing Wage Rates Applied to All Port Projects (Oppose)*

*SB 0253/HB 2284: Industrial Site Readiness— Assessment Grants (Support)*

*SB 0246/HB 2285: Industrial Site Readiness—Infrastructure Loans (Support)*

*SB 0247: Alternative Mode Transportation Fund (Support)*

**Monitor**

These bills may have some impact on the Port's current or future operations and should be monitored throughout the legislative session. (See attached summaries.)

**Senate**

*SB 0085: Public Meetings*

*SB 0086: Public Communication*

*SB 0013: Infrastructure Funding Report*

*SB 0120: Investment Council*

*SB 0176: Jobs Task Force*

*SB 0233: Ore. Innovation Council*

*SB 0250: Urban Growth Boundary*

*SB: 260: Transportation Bonds*

*SB 5511: Col. River Gorge Commission*

**House**

*HB 2657: Industrial Re-Zoning*

*HB 2310: Connect Oregon V*

*HB 2620: Ec. Dev. Re-Organization*

*HB 2333: Innovation Council*

*HB 2225: Strategic Reserve Fund*

*HB 2452: Oregon Seed Fund*

*HB 2233: Abandoned Vessels*

*HB 2212: Expenditure Limit*

Based on the Commission's discussion and direction, staff will prepare briefing materials for legislator visits during the PNWA trip and conform or modify direction to Ball/Janik staff in Salem.

**RECOMMENDATION:** For discussion.

HB 2281

Bill Info

**Summary:** Directs Oregon Business Development Department to implement program in which tax revenues generated by persons hired by innovation activity employers are directed to Oregon Innovation Fund. Appropriates moneys from General Fund to department for purposes of administering program. Specifies rate of withholding on taxable income of person employed by registered employer. Applies to tax years beginning on or after January 1, 2014, and before January 1, 2017. Takes effect on 91st day following adjournment sine die.

**Relating To:** Relating to revenues for innovation; appropriating money; prescribing an effective date.  
1/22/13 H - Referred to Transportation and Economic Development with subsequent referral to Revenue, then Ways and Means.  
1/14/13 H - First reading. Referred to Speaker's desk.

\* HB 2284

Bill Info

**Summary:** Requires Oregon Business Development Department to establish and administer Oregon Industrial Site Readiness Program to make loans to qualified project sponsors for development of certified state and regionally significant industrial sites. Allows department to forgive portions of loans where project sponsor contracts with eligible employer. Limits loan forgiveness to lesser of percentage of eligible site preparation costs or estimated incremental income tax revenues. Establishes Oregon Industrial Site Readiness Program Fund. Continuously appropriates moneys in fund to Oregon Business Development Department. Takes effect on 91st day following adjournment sine die.

**Relating To:** Relating to the Oregon Industrial Site Readiness Program; appropriating money; prescribing an effective date.  
1/22/13 H - Referred to Land Use with subsequent referral to Transportation and Economic Development, then Ways and Means.  
1/14/13 H - First reading. Referred to Speaker's desk.

\* HB 2285

Bill Info

**Summary:** Requires Oregon Business Development Department to establish and administer Oregon Industrial Site Readiness Program providing grants to perform due diligence assessments of large industrial sites, to create detailed development plans to make large industrial sites market-ready and to conduct regional industrial site inventories. Establishes Oregon Industrial Site Readiness Program Fund. Continuously appropriates moneys in fund to Oregon Business Development Department. Declares emergency, effective on passage.

**Relating To:** Relating to development of large industrial sites; appropriating money; declaring an emergency.  
1/22/13 H - Referred to Land Use with subsequent referral to Transportation and Economic Development, then Ways and Means.  
1/14/13 H - First reading. Referred to Speaker's desk.

HB 2291

Bill Info

## Port of Hood River

### HB 2127

#### Bill Info

**Summary:** Requires contracting agency to base determination of contractor's responsibility for public improvement contract on contractor's demonstration that contractor provided health insurance to contractor's employees for period of two years before contractor submitted bid for public improvement contract. Specifies exemptions for certain bidders. Becomes operative January 2, 2014. Declares emergency, effective on passage.

**Relating To:** Relating to determinations of responsibility for contractors on public improvement contracts; declaring an emergency.

1/22/13 H - Referred to Consumer Protection and Government Efficiency.

1/14/13 H - First reading. Referred to Speaker's desk.

### HB 2140

#### Bill Info

**Summary:** Authorizes discrete investment of funds of political subdivisions in any commingled investment pool established by State Treasurer for investment of funds of state agencies or local governments. Declares emergency, effective on passage.

**Relating To:** Relating to discrete investment of local government funds; declaring an emergency.

1/22/13 H - Referred to Consumer Protection and Government Efficiency with subsequent referral to Ways and Means.

1/14/13 H - First reading. Referred to Speaker's desk.



### HB 2212

#### Bill Info

**Summary:** Raises amount used to classify public procurement as small procurement under Public Contracting Code from maximum of \$5,000 to maximum of \$10,000.

**Relating To:** Relating to an amount that constitutes a small procurement under the Public Contracting Code.

1/22/13 H - Referred to Consumer Protection and Government Efficiency.

1/14/13 H - First reading. Referred to Speaker's desk.

### HB 2223

#### Bill Info

**Summary:** Creates Oregon Growth Board Task Force. Sunsets task force on June 30, 2015. Declares emergency, effective on passage.

**Relating To:** Relating to the Oregon Growth Board; declaring an emergency.

1/22/13 H - Referred to Transportation and Economic Development.

1/14/13 H - First reading. Referred to Speaker's desk.



### HB 2225

#### Bill Info

**Summary:** Removes sunset from Oregon Business Retention and Expansion Program. Allows Oregon Business Development Department to transfer moneys from Strategic Reserve Fund to Oregon Business Retention and Expansion Program Fund for purpose of making loans.

**Relating To:** Relating to the Oregon Business Retention and Expansion Program.

1/22/13 H - Referred to Transportation and Economic Development with subsequent referral to Ways and Means.

1/14/13 H - First reading. Referred to Speaker's desk.



**Summary:** Requires Oregon Business Development Department to conduct study of rural renewable energy development zones for purpose of determining whether property tax exemptions available in those zones are sufficient to encourage development of renewable energy resources. Directs department to report results of study to interim committees of Legislative Assembly related to economic development on or before November 1, 2014. Sunsets January 2, 2015. Declares emergency, effective on passage.

**Relating To:** Relating to economic development; declaring an emergency.

1/22/13 H - Referred to Energy and Environment with subsequent referral to Revenue, then Ways and Means.

1/14/13 H - First reading. Referred to Speaker's desk.

\* [HB 2310](#)

[Bill Info](#)

**Summary:** Authorizes issuance of lottery bonds for transportation projects funded from Multimodal Transportation Fund. Specifies allocation of lottery bond proceeds. Declares emergency, effective July 1, 2013.

**Relating To:** Relating to financing transportation projects; declaring an emergency.

1/22/13 H - Referred to Transportation and Economic Development with subsequent referral to Ways and Means.

1/14/13 H - First reading. Referred to Speaker's desk.

[HB 2311](#)

[Bill Info](#)

**Summary:** Adds criteria used to select projects within Statewide Transportation Improvement Program.

**Relating To:** Relating to the Statewide Transportation Improvement Program.

1/22/13 H - Referred to Transportation and Economic Development.

1/14/13 H - First reading. Referred to Speaker's desk.

[HB 2320](#)

[Bill Info](#)

**Summary:** Allows city to seek designation of enterprise zone for electronic commerce regardless of whether zone is existing enterprise zone. Takes effect on 91st day following adjournment sine die.

**Relating To:** Relating to enterprise zones for electronic commerce; prescribing an effective date.

1/22/13 H - Referred to Revenue.

1/14/13 H - First reading. Referred to Speaker's desk.

[HB 2323](#)

[Bill Info](#)

**Summary:** Establishes Oregon Growth Board Task Force. Sunsets task force on June 30, 2015. Declares emergency, effective on passage.

**Relating To:** Relating to the Oregon Growth Board; declaring an emergency.

1/22/13 H - Referred to Transportation and Economic Development with subsequent referral to Ways and Means.

1/14/13 H - First reading. Referred to Speaker's desk.

[HB 2330](#)

[Bill Info](#)

- Summary:** Establishes Oregon Growth Board Task Force. Sunsets task force on June 30, 2015. Declares emergency, effective on passage.
- Relating To:** Relating to the Oregon Growth Board; declaring an emergency.
- 1/22/13 H - Referred to Transportation and Economic Development with subsequent referral to Ways and Means.
- 1/14/13 H - First reading. Referred to Speaker's desk.

 [HB 2333](#)

[Bill Info](#)

- Summary:** Appropriates moneys to Oregon Innovation Council to fund grants and loans for innovation-based economic development.
- Relating To:** Relating to the Oregon Innovation Council; appropriating money.
- 1/22/13 H - Referred to Transportation and Economic Development with subsequent referral to Ways and Means.
- 1/14/13 H - First reading. Referred to Speaker's desk.

[HB 2345](#)

[Bill Info](#)

- Summary:** Establishes West Coast Critical Infrastructure Exchange Task Force. Sunsets task force on June 30, 2015. Declares emergency, effective on passage.
- Relating To:** Relating to critical infrastructure development; declaring an emergency.
- 1/22/13 H - Referred to Transportation and Economic Development with subsequent referral to Ways and Means.
- 1/14/13 H - First reading. Referred to Speaker's desk.

[HB 2402](#)

[Bill Info](#)

- Summary:** Prohibits public body from providing public subsidy in amount equal to or greater than \$750,000 for purpose of constructing, reconstructing, renovating, altering, maintaining or repairing, or entering into contract to construct, reconstruct, renovate, alter, maintain or repair, structure on real property unless iron, steel and manufactured goods used in structure are made within United States. Provides that prohibition does not apply if public body or contracting agency finds that amount or quality of iron, steel or manufactured goods made within United States are insufficient or if applying prohibition would increase cost or contract price by more than 25 percent.
- Relating To:** Relating to public subsidies for structures on real property.
- 1/22/13 H - Referred to Consumer Protection and Government Efficiency.
- 1/14/13 H - First reading. Referred to Speaker's desk.

[HB 2418](#)

[Bill Info](#)

- Summary:** Modifies definition of 'supervisory employee' for purposes of public employee collective bargaining law.
- Relating To:** Relating to supervisory employees under public collective bargaining law.
- 1/22/13 H - Referred to Business and Labor.
- 1/14/13 H - First reading. Referred to Speaker's desk.

[HB 2429](#) [Info](#)

**Summary:** Requires that public bodies develop and implement policies for securely removing personal information from digital data storage devices and other electronic data storage devices before selling, donating, recycling or otherwise disposing of device. Prohibits public body from using photocopiers and scanners not owned, leased or otherwise controlled by public body for purpose of making copies of documents that contain personal information. Requires that business that offers photocopiers or scanners for use by public for fee must post clearly visible notice that informs customers that information from documents photocopied or scanned on premises may be stored in digital form on devices. Provides that violation of requirement is unlawful trade practice.

**Relating To:** Relating to electronic devices.

1/22/13 H - Referred to Consumer Protection and Government Efficiency.  
1/14/13 H - First reading. Referred to Speaker's desk.

[HB 2430](#)

[Bill Info](#)

**Summary:** Authorizes establishment of master plans and service districts regarding cultural services. Takes effect on 91st day following adjournment sine die.

**Relating To:** Relating to cultural services; prescribing an effective date.

1/22/13 H - Referred to Revenue.  
1/14/13 H - First reading. Referred to Speaker's desk.

[HB 2448](#)

[Bill Info](#)

**Summary:** Requires issue subject to collective bargaining during term of collective bargaining agreement that is not resolved through negotiation or mediation to be resolved through binding arbitration. Prohibits public employees from striking when issue subject to collective bargaining during term of collective bargaining agreement is subject to binding arbitration.

**Relating To:** Relating to matters subject to collective bargaining during term of collective bargaining agreement.

1/22/13 H - Referred to Business and Labor.  
1/14/13 H - First reading. Referred to Speaker's desk.

\* [HB 2452](#)

[Bill Info](#)

**Summary:** Requires Oregon Growth Account Board to invest \$2 million to \$4 million of Oregon Growth Account funds in approved Oregon Seed Fund entities that provide support to emerging growth businesses in Oregon. Redefines 'seed capital' to include financing for initial and follow-up phases of emerging growth business development. Requires that at least 80 percent of emerging growth businesses receiving funds from Oregon Growth Account through approved Oregon Seed Fund entities be located outside acknowledged Portland Metropolitan Area Regional Urban Growth Boundary. Requires Oregon Seed Fund entities to provide matching funds.

**Relating To:** Relating to Oregon Seed Fund entities.

1/22/13 H - Referred to Transportation and Economic Development with subsequent referral to Ways and Means.  
1/14/13 H - First reading. Referred to Speaker's desk.

[HB 2509](#)

[Bill Info](#)

**Summary:** Establishes Task Force on Land Value Taxation to compare methods of property taxation. Requires task force to submit report to interim committee of Legislative Assembly related to taxation no later than October 1, 2014. Sunsets task force on date of convening of 2015 legislative session. Takes effect on 91st day following adjournment sine die.

**Relating To:** Relating to land value taxation; prescribing an effective date.  
1/22/13 H - Referred to Revenue.  
1/14/13 H - First reading. Referred to Speaker's desk.

HB 2543

Bill Info

**Summary:** Modifies certain provisions relating to state initiative measures that require appropriation or expenditure of public moneys. Takes effect only if House Joint Resolution 15 (2013) is approved by people at next regular general election. Takes effect on effective date of constitutional amendment proposed in House Joint Resolution 15 (2013).

**Relating To:** Relating to initiative measures; prescribing an effective date.  
1/22/13 H - Referred to Rules.  
1/14/13 H - First reading. Referred to Speaker's desk.

HB 2545

Bill Info

**Summary:** Permits Commissioner of Bureau of Labor and Industries to debar from public works contract contractor or subcontractor that is limited liability company if member or manager of limited liability company fails to pay or post prevailing rate of wage, fails to pay subcontractor's employees when contractor pays employees on subcontractor's behalf or falsifies information on contractor's or subcontractor's certified statements. Declares emergency, effective on passage.

**Relating To:** Relating to debarments from public works contracts; declaring an emergency.  
1/22/13 H - Referred to Business and Labor.  
1/14/13 H - First reading. Referred to Speaker's desk.

\* HB 2620

Bill Info

**Summary:** Directs Governor to develop reorganization plan for economic development agencies, community development and services agencies and natural resource agencies necessary to implement regional and community based governance.

**Relating To:** Relating to reorganization of state agencies.  
1/22/13 H - Referred to Consumer Protection and Government Efficiency with subsequent referral to Ways and Means.  
1/14/13 H - First reading. Referred to Speaker's desk.

HB 2652

Bill Info

**Summary:** Prohibits contracting agency from entering into public contract for services with contractor that uses contact center located outside United States to perform all or part of services that are basis of public contract. Becomes operative January 1, 2014. Declares emergency, effective on passage.

**Relating To:** Relating to the use of contact centers in public contracts; declaring an emergency.  
1/22/13 H - Referred to Consumer Protection and Government Efficiency.  
1/14/13 H - First reading. Referred to Speaker's desk.



HB 2657

Bill Info

**Summary:** Establishes requirements to be met by applicant before local government can consider application to rezone for nonindustrial use land that is planned and zoned for industrial use.

**Relating To:** Relating to rezoning of industrial land.

1/22/13 H - Referred to Transportation and Economic Development with subsequent referral to Land Use.

1/14/13 H - First reading. Referred to Speaker's desk.

HB 2677

Bill Info

**Summary:** Defines 'funds of a public agency,' for purposes of applying prevailing rate of wage to projects for public works, to include tax credits or tax abatements that contractor engaged in project for public works receives from state in connection with project. Becomes operative 91 days after effective date of Act. Declares emergency, effective on passage.

**Relating To:** Relating to the application of a prevailing rate of wage to public works projects; declaring an emergency.

1/22/13 H - Referred to Business and Labor.

1/14/13 H - First reading. Referred to Speaker's desk.



SB 0013

Bill Info

**Summary:** Requires State Treasurer to consider options for infrastructure financing and report to Legislative Assembly.

**Relating To:** Relating to infrastructure financing.

1/18/13 S - Referred to Business and Transportation.

1/14/13 S - Introduction and first reading. Referred to President's desk.

SB 0014

Bill Info

**Summary:** Repeals provisions repealing establishment of Oregon Growth Fund and Oregon Growth Board. Declares emergency, effective on passage.

**Relating To:** Relating to the Oregon Growth Board; declaring an emergency.

1/22/13 S - Referred to Business and Transportation.

1/14/13 S - Introduction and first reading. Referred to President's desk.

SB 0016

Bill Info

**Summary:** Deletes limitation on reappointment of members of Oregon Investment Council. Applies to appointments made on or after effective date of Act. Declares emergency, effective on passage.

**Relating To:** Relating to terms of members of the Oregon Investment Council; declaring an emergency.

1/22/13 S - Referred to Finance and Revenue.

1/14/13 S - Introduction and first reading. Referred to President's desk.

SB 0041

Bill Info

**Summary:** Provides that matters for which quorum of governing body may not meet in private for purpose of deciding or deliberating are limited to budget, fiscal or policy matters that are before, or likely to come before, governing body. Provides that certain communication, fact gathering activities or on-site inspections of property or facilities do not constitute governing body deciding on or deliberating toward decision.

**Relating To:** Relating to public meetings.  
1/18/13 S - Referred to Judiciary.  
1/14/13 S - Introduction and first reading. Referred to President's desk.

 [SB 0085](#)

[Bill Info](#)

**Summary:** Provides that discussion of matter for which governing body has authority to make decision or recommendation on policy or administration constitutes deliberations for public meetings law purposes, without regard to whether public notice of matter is given.

**Relating To:** Relating to public meetings.  
1/18/13 S - Referred to Judiciary.  
1/14/13 S - Introduction and first reading. Referred to President's desk.

 [SB 0086](#)

[Bill Info](#)

**Summary:** States that electronic communication that is simultaneous and contemporaneous communication is subject to public meetings law. Provides that electronic mail is not simultaneous and contemporaneous communication.

**Relating To:** Relating to public meetings.  
1/18/13 S - Referred to Judiciary.  
1/14/13 S - Introduction and first reading. Referred to President's desk.

[SB 0095](#)

[Bill Info](#)

**Summary:** Requires last best offer submitted in certain arbitration proceedings by exclusive representative of employees of public employer that requires increases in taxes or fees or reduction of services or workforce to meet costs of implementation of offer to be deemed not to be in best interest and welfare of public.

**Relating To:** Relating to arbitration of collective bargaining agreements.  
1/18/13 S - Referred to General Government, Consumer and Small Business Protection.  
1/14/13 S - Introduction and first reading. Referred to President's desk.

 [SB 0120](#)

[Bill Info](#)

**Summary:** Establishes Oregon Investment Council as public corporation to be governed by board of directors and supervised by executive director. Changes name to Oregon Investment Corporation. Specifies duties, functions and powers of corporation. Transfers duties of council, and State Treasurer as investment officer, to corporation. Establishes Oregon Investment Corporation Fund and continuously appropriates moneys in fund to corporation for expenses of corporation. Exempts corporation from certain laws regulating government entities. Declares emergency, effective on passage.

Ball Janik LLP  
2013 Regular Session  
Bill Summary Report

**Relating To:** Relating to state investments; appropriating money; declaring an emergency.  
1/22/13 S - Referred to Finance and Revenue, then Ways and Means.  
1/14/13 S - Introduction and first reading. Referred to President's desk.

SB 0175

Bill Info

**Summary:** Establishes Enterprise Innovation Fund. Continuously appropriates moneys in fund to Oregon Department of Administrative Services for purposes of project funding. Authorizes department to award moneys from fund to state agencies for projects that increase efficiency and effective use of state resources using enterprise or multiagency approach. Directs department to divert percentage of budget savings realized to Enterprise Innovation Fund and remainder to original source of funding. Transfers specified amount of moneys from Oregon Department of Administrative Services Operating Fund to Enterprise Innovation Fund. Declares emergency, effective on passage.

**Relating To:** Relating to enterprise innovation projects; appropriating money; declaring an emergency.  
1/22/13 S - Referred to General Government, Consumer and Small Business Protection.  
1/14/13 S - Introduction and first reading. Referred to President's desk.

\* SB 0176

Bill Info

**Summary:** Creates Oregon Task Force on Jobs and the Economy. Sunsets task force on date of convening of 2015 regular session of Legislative Assembly. Declares emergency, effective on passage.

**Relating To:** Relating to economic development; declaring an emergency.  
1/22/13 S - Referred to Rural Communities and Economic Development, then Ways and Means.  
1/14/13 S - Introduction and first reading. Referred to President's desk.

SB 0199

Bill Info

**Summary:** Expands means for temporary or permanent acquisition of all or portion of existing water right for conversion to in-stream water right. Eliminates sunset and continues in effect provision conditionally allowing water right lease to split use of water between existing right and in-stream right within same year. Imposes conditions for split use.

**Relating To:** Relating to the transfer of water rights to in-stream use.  
1/18/13 S - Referred to Environment and Natural Resources.  
1/14/13 S - Introduction and first reading. Referred to President's desk.

SB 0200

Bill Info

**Summary:** Allows record landowner holding certain water rights to apply for assignment of all or part of water right to owner of land to which water right pertains. Allows Water Resources Department to issue replacement water right permits to reflect assignment. Authorizes processing fee. Specifies contents and procedure for protesting proposed order approving assignment.

**Relating To:** Relating to water right assignments.  
1/22/13 S - Referred to Environment and Natural Resources.  
1/14/13 S - Introduction and first reading. Referred to President's desk.

SB 0217

Bill Info

**Summary:** Imposes annual management fee on water rights. Dedicates management fee moneys for use in carrying out Water Resources Department activities involving water rights management. Applies for annual periods beginning July 1, 2013. Declares emergency, effective on passage.

**Relating To:** Relating to an annual management fee on water rights; declaring an emergency.

1/18/13 S - Referred to Environment and Natural Resources, then Ways and Means.

1/14/13 S - Introduction and first reading. Referred to President's desk.

[SB 0223](#)

[Bill Info](#)

**Summary:** Clarifies that Oregon Department of Administrative Services must transfer moneys from General Fund to Shared Services Fund as part of strategic investment program. Extends application of laws requiring payment of moneys from Shared Services Fund to taxing districts to tax years beginning before January 1, 2029. Declares emergency, effective on passage.

**Relating To:** Relating to the strategic investment program; declaring an emergency.

1/16/13 S - Referred to Finance and Revenue.

1/14/13 S - Introduction and first reading. Referred to President's desk.

[SB 0230](#)

[Bill Info](#)

**Summary:** Establishes West Coast Critical Infrastructure Exchange Task Force. Sunsets task force on June 30, 2015. Declares emergency, effective on passage.

**Relating To:** Relating to critical infrastructure development; declaring an emergency.

1/18/13 S - Referred to Business and Transportation, then Ways and Means.

1/14/13 S - Introduction and first reading. Referred to President's desk.



[SB 0233](#)

[Bill Info](#)

**Summary:** Appropriates moneys to Oregon Innovation Council to fund grants and loans for innovation-based economic development.

**Relating To:** Relating to the Oregon Innovation Council; appropriating money.

1/22/13 S - Referred to Business and Transportation, then Ways and Means.

1/14/13 S - Introduction and first reading. Referred to President's desk.

[SB 0234](#)

[Bill Info](#)

**Summary:** Creates Oregon Growth Board Task Force. Sunsets task force on June 30, 2015. Declares emergency, effective on passage.

**Relating To:** Relating to the Oregon Growth Board; declaring an emergency.

1/22/13 S - Referred to Business and Transportation, then Ways and Means.

1/14/13 S - Introduction and first reading. Referred to President's desk.



[SB 0243](#)

[Bill Info](#)



**Summary:** Applies provisions of prevailing wage law to project that constructs, reconstructs, renovates or paints improvement on real property that port owns or controls, regardless of whether project is publicly or privately owned, is constructed, reconstructed, renovated or painted using funds of public agency or whether port continues to occupy real property or leases real property to private entity. Becomes operative 91 days after effective date of Act. Declares emergency, effective on passage.

**Relating To:** Relating to prevailing rates of wage for projects on real property of port; declaring an emergency.  
1/16/13 S - Referred to Business and Transportation.  
1/14/13 S - Introduction and first reading. Referred to President's desk.

SB 0245

Bill Info

**Summary:** Authorizes designation of enterprise zone and zone and city for electronic commerce, addition of zone cosponsor and change of enterprise zone boundary without application process, subject to determination by Oregon Business Development Department that certain statutory requirements met. Lowers minimum cost requirement for qualified property used in electronic commerce outside zone for electronic commerce. Takes effect on 91st day following adjournment sine die.

**Relating To:** Relating to enterprise zones; prescribing an effective date.  
1/22/13 S - Referred to Rural Communities and Economic Development, then Finance and Revenue.  
1/14/13 S - Introduction and first reading. Referred to President's desk.



SB 0246

Bill Info

**Summary:** Requires Oregon Business Development Department to establish and administer Oregon Industrial Site Readiness Program to make loans to qualified project sponsors for development of certified state and regionally significant industrial sites. Allows department to forgive portions of loans where project sponsor contracts with eligible employer. Limits loan forgiveness to lesser of percentage of eligible site preparation costs or estimated incremental income tax revenues. Establishes Oregon Industrial Site Readiness Program Fund. Continuously appropriates moneys in fund to Oregon Business Development Department. Takes effect on 91st day following adjournment sine die.

**Relating To:** Relating to the Oregon Industrial Site Readiness Program; appropriating money; prescribing an effective date.  
1/22/13 S - Referred to Business and Transportation, then Ways and Means.  
1/14/13 S - Introduction and first reading. Referred to President's desk.



SB 0247

Bill Info

**Summary:** Creates Alternative Mode Transportation Fund. Requires that nine percent of net proceeds from Oregon State Lottery be deposited in Multimodal Transportation Fund, and that nine percent of net proceeds be deposited in Alternative Mode Transportation Fund. Continuously appropriates moneys in Alternative Mode Transportation Fund to Department of Transportation. Provides that moneys may only be used for capital improvements and operational costs of mass transit, passenger rail, bicycle and pedestrian projects. Declares emergency, effective on passage.

**Relating To:** Relating to funding transportation projects; appropriating money; declaring an emergency.

Ball Janik LLP  
2013 Regular Session  
Bill Summary Report

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1/18/13 S - Referred to Business and Transportation, then Ways and Means.  
1/14/13 S - Introduction and first reading. Referred to President's desk.

\* [SB 0250](#)

[Bill Info](#)

**Summary:** Authorizes local government required to have urban growth boundary to include land within boundary when inclusion of land is consistent with local economic development projections and public facilities plans.

**Relating To:** Relating to planning for industrial uses.

1/22/13 S - Referred to Rural Communities and Economic Development.  
1/14/13 S - Introduction and first reading. Referred to President's desk.

[SB 0251](#)

[Bill Info](#)

**Summary:** Authorizes Governor to convene meeting of federal, state and local permitting authorities to streamline or expedite approval process for proposed land development that addresses significant regional priorities.

**Relating To:** Relating to review of land development proposals requiring multiple permits.

1/22/13 S - Referred to Rural Communities and Economic Development.  
1/14/13 S - Introduction and first reading. Referred to President's desk.

\* [SB 0253](#)

[Bill Info](#)

**Summary:** Requires Oregon Business Development Department to establish and administer Oregon Industrial Site Readiness Program providing grants to perform due diligence assessments of large industrial sites, to create detailed development plans to make large industrial sites market-ready and to conduct regional industrial site inventories. Establishes Oregon Industrial Site Readiness Program Fund. Continuously appropriates moneys in fund to Oregon Business Development Department. Declares emergency, effective on passage.

**Relating To:** Relating to development of large industrial sites; appropriating money; declaring an emergency.

1/22/13 S - Referred to Business and Transportation, then Ways and Means.  
1/14/13 S - Introduction and first reading. Referred to President's desk.

[SB 0254](#)

[Bill Info](#)

**Summary:** Specifies conditions under which contracting agency may use alternative contracting method to award public improvement contract for construction manager/general contractor services. Requires Attorney General to adopt model rules to specify procedures for procuring construction manager/general contractor services. Provides that contracting agency must procure construction manager/general contractor services in accordance with model rules. Becomes operative July 1, 2014. Declares emergency, effective on passage.

**Relating To:** Relating to requirements for alternative contracting methods; declaring an emergency.

1/16/13 S - Referred to Business and Transportation.  
1/14/13 S - Introduction and first reading. Referred to President's desk.

\* [SB 0260](#)

[Bill Info](#)

Ball Janik LLP  
2013 Regular Session  
Bill Summary Report

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**Summary:** Authorizes issuance of lottery bonds for transportation projects funded from Multimodal Transportation Fund. Specifies allocation of lottery bond proceeds. Declares emergency, effective on passage.

**Relating To:** Relating to the Multimodal Transportation Fund; declaring an emergency.

1/16/13 S - Referred to Business and Transportation, then Ways and Means.

1/14/13 S - Introduction and first reading. Referred to President's desk.

SB 0336

Bill Info

**Summary:** Eliminates requirement for special relationship to establish liability of local government for economic injuries incurred by person acting in good faith reliance on negligent misrepresentation by local government of effect of comprehensive plan and land use regulations.

**Relating To:** Relating to tort liability for land use errors by public body.

2/4/13 S - Work Session scheduled.

1/16/13 S - Referred to Health Care and Human Services.

1/14/13 S - Introduction and first reading. Referred to President's desk.

SB 0405

Bill Info

**Summary:** Limits retainage amount for contractor and subcontractor work on construction contracts and public improvement projects.

**Relating To:** Relating to payment amounts withheld as retainage.

1/22/13 S - Referred to Business and Transportation.

1/14/13 S - Introduction and first reading. Referred to President's desk.

SB 0412

Bill Info

**Summary:** Expands definition of 'public body' subject to public meetings law to include coordinated care organizations.

**Relating To:** Relating to public meetings.

1/22/13 S - Referred to Judiciary.

1/14/13 S - Introduction and first reading. Referred to President's desk.

SB 0419

Bill Info

**Summary:** Prohibits public bodies from imposing requirement to show consistency or compatibility with state and local land use plans for lands to which federal government holds title by consent of State of Oregon. Declares emergency, effective on passage.

**Relating To:** Relating to compatibility of federal land uses with state land use planning; declaring an emergency.

1/16/13 S - Referred to Rural Communities and Economic Development.

1/14/13 S - Introduction and first reading. Referred to President's desk.

SB 0425

Bill Info

**Summary:** Requires that application to change place of use, point of diversion or use made of water be evaluated to determine whether granting of application would result in loss of in-stream habitat for native fish or native wildlife in stream reach not protected by existing in-stream water right. Prohibits granting application that would result in loss. Allows revocation of approval if change results in loss of habitat.

**Relating To:** Relating to preventing habitat loss in streams.  
1/16/13 S - Referred to Environment and Natural Resources.  
1/14/13 S - Introduction and first reading. Referred to President's desk.

\* [SB 5511](#)

[Bill Info](#)

**Summary:** Appropriates moneys from General Fund to Columbia River Gorge Commission for biennial expenses. Limits biennial expenditures from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by commission. Declares emergency, effective July 1, 2013.

**Relating To:** Relating to the financial administration of the Columbia River Gorge Commission; appropriating money; declaring an emergency.  
1/23/13 S - Assigned to Subcommittee On Natural Resources.  
1/16/13 S - Referred to Ways and Means.  
1/14/13 S - Introduction and first reading. Referred to President's desk.

[SB 5533](#)

[Bill Info](#)

**Summary:** Increases amount of lottery bonds authorized to be issued by Oregon Business Development Department. Authorizes issuance of various other lottery bonds. Establishes funds, or provides for deposit of moneys into existing funds, and appropriates moneys for projects financed. Declares emergency, effective July 1, 2013.

**Relating To:** Relating to lottery bonds; appropriating money; declaring an emergency.  
1/23/13 S - Assigned to Subcommittee On Capital Construction.  
1/16/13 S - Referred to Ways and Means.  
1/14/13 S - Introduction and first reading. Referred to President's desk.

## Commission Memo

**To:** Commissioners  
**From:** Steve Burdick  
**Date:** February 19, 2013  
**Re:** Facilities Condition Assessment

---

At the February 5 Commission meeting you reviewed, modified and agreed upon the function and long term strategy for each building. The revised matrix that resulted from this discussion is attached.

At the February 19 Commission meeting staff will provide three ring binders with the staff's assessment of the condition of every element of every industrial, commercial and airport building. An assessment of the marina will follow as part of the marina upgrade project. A more extensive assessment of the recreational properties will follow as part of the Waterfront Access Plan. The long term bridge maintenance plan will provide the assessment of the Interstate Bridge. A previous consultant assessment of the pedestrian bridge did not identify any significant capital or maintenance issues.

The Commissioners will be asked to authorize a consultant to perform an asphalt assessment. Some elements that have been evaluated by staff may also warrant more extensive analysis by professionals with special expertise in specific elements.

After the Commission's review of the facilities condition assessment, the recommendations in the assessment will be modified as appropriate and staff budget recommendations will be generated in the context of the objective and policy information.

**RECOMMENDATION:** For discussion.



**Port of Hood River  
Building Function Assessment**

February 5, 2013

COMMERCIAL BUILDINGS					
	Superior	Mid-level	Basic	Flexible	Decision Time-frame
	Higher profile properties. Credit tenants. High to medium market rents	Medium quality space at lower profile locations. May accommodate lower credit tenants. Mid-range market	Lower quality space for both start up and established entities seeking lower to middle range market rents.	High visibility locations accommodating a range of entities compatible with Port public role.	
Port Office				X	Permanent
Marina Office #1 (Chamber, Visitors)	X				10-15 Years, Demolition
Marina Office #2 (DMV)		X			10-15 Years; Demolition
Expo Center			X		1-2 Years; Re-Purpose

INDUSTRIAL BUILDINGS					
	Superior	Mid-level	Basic	Flexible	Decision Time-frame
	Superior properties with high visibility. Credit tenants or those demonstrating a significant public purpose. Mid to upper range market	Highly functional light industrial properties for established entities but may include capitalized start-ups. Mid-level market rents.	Lower end industrial / warehouse space for start-up and established tenants. Low to middle range market rents		
Halyard Building	X				5-6 Year; Consider Sale
Maritime Building			X		5-7 year; Re-build if replacement developed
Jensen Building		X			8-10 Year; Upgrade/Re-Purpose
Big 7 Building			X		Long-term Hold
Wasco Building	X				3-5 Year; Potential Sale
Timber Incubator Building		X			Long-Term Hold

## Commission Memo

**To:** Commissioners  
**From:** Steve Burdick  
**Date:** February 19, 2013  
**Re:** Interstate Bridge Deck Weld Repair & Monitoring

---

The joints within the steel decking on the Interstate Bridge have a chronic failure problem that requires extensive Port staff time to re-weld the joints and that requires both welding staff time and flagging staff time. The design of the deck welding is flawed in that the bar grid connections are secured by "puddle" welds on top of the grating and these joints flex as traffic travels over the bridge and eventually break. The manufacturer of the decking is out of business.

The attached letter from David McCuirry, Senior Bridge Engineer with HNTB, explains the issue in detail and, on Page 4, outlines the specific program for testing and selecting alternate types of welds and for enabling Port staff to competently make welds that will last longer than the present puddle welds.

If the Commission accept this recommended strategy, staff will bring back an amendment to the present HNTB contract to set up and administer the procedures.

**RECOMMENDATION:** For discussion.



**HNTB Corporation**  
The HNTB Companies  
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February 14, 2013



Mr. Steve Burdick  
Development Manager  
Port of Hood River  
1000 E. Port Marina Drive  
Hood River, OR 97031

HNTB Job 47370-007

RE: Hood River Interstate Bridge – Steel Deck Weld Repair & Monitoring Program

Dear Mr. Burdick:

As part of the Lower Chord Rehabilitation Project (Project) for the Hood River Interstate Bridge (Bridge), HNTB was made aware of on-going maintenance concerns on the open-grid steel deck. On three occasions, David McCurry performed on-site visual inspection of particular areas of the deck. During these visits, HNTB assessed the likely root cause of the concern, discussed the implications with the Port staff both in the field and in the office, and reviewed alternatives for dealing with this concern. This letter outlines our understanding of the issue and recommendations for moving forward.

## OVERVIEW OF THE ISSUE

There are areas of the open-grid steel deck on the bridge where welds which connect the deck system together are exhibiting weld cracks. Once a weld cracks in the deck system, it tends to propagate to nearby welds, causing the deck system in this vicinity to loosen and exhibit a loud clanging. This weld cracking is initially a public nuisance due to the steel components clanging and a maintenance concern. If not addressed, the cracking progresses to a safety concern. Where weld cracking has propagated in the deck system the steel bars loosen, may be damaged, and become a potential hazard for passing vehicles. Vehicle tires may snag on a loose or damaged steel bar in the deck system which could lead to a blown out tire. There is the possibility of more extensive vehicle damage or damage to the bridge deck and railing.

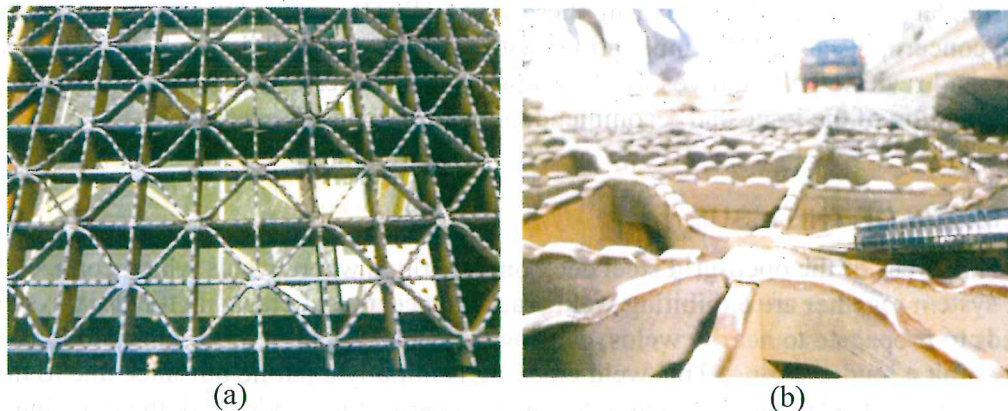
Port maintenance has made welded repairs for several years. In some areas of repair, the welds were not adequate to stop the weld cracking, or the propagation of cracking to

nearby welds. For this reason, it is appropriate to investigate the welding procedures being used by the Port and develop a more robust solution.

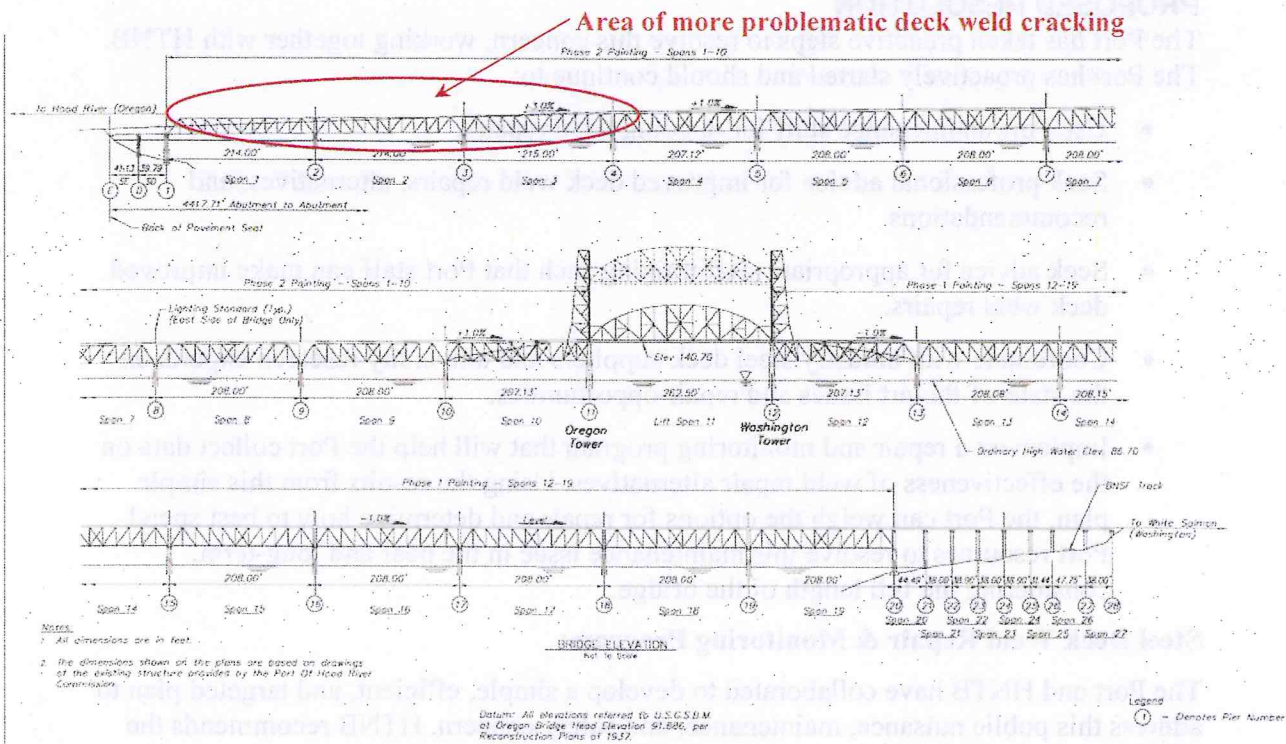
The welds that are cracking are at the junctions between the individual steel flat bars that create a regular grid pattern on the deck (see Figure 1). At these junctions there is a shop fabricated weld that is intended to hold the flat steel bars together.

The exact cause of the weld cracking is not clear, but research indicates these types of deck systems have exhibited similar problems in other areas of country. HNTB investigated the deck system construction documents and confirmed that the design criterion for the system was appropriate. HNTB also contacted industry representatives to discuss and discovered the manufacturer of the deck system is no longer in business. Furthermore, HNTB determined that Oregon State University is currently conducting research on similar issues for these open-grid steel deck systems. Results of this research may help determine the expected progression of the welds across the deck.

Propagation of weld cracking appears to be focused in specific areas of Spans 1, 2 & 3 (see Figure 2). In these spans there is more extensive cracking than other spans. The Port staff have focused repair in these areas. There are areas beyond Spans 1, 2 & 3 where weld cracking is occurring. This damaged is discovered from an audible clanging sound coming from the deck when a vehicle passes over areas with weld cracking. The clanging sounds results from loose steel bars banging together. HNTB did not perform a complete survey or inspection of the bridge deck, but believes the issue could become widespread and is worthy of further investigation.



**Figure 1:** Open-grid steel deck close up view: (a) typical steel bar grid pattern looking down on bridge deck (numerous junctions have large weld repairs) and (b) up-close view of weld cracking at bar junctions.



**Figure 2:** Hood River Interstate Bridge elevation drawing showing areas of the bridge exhibiting more problematic deck weld cracking. Note: other areas have not been thoroughly inspected to determine the extent of cracking.

### **PROPOSED RESOLUTION**

The Port has taken proactive steps to resolve this concern, working together with HTNB. The Port has proactively started and should continue to:

- Use Port maintenance staff for ongoing weld repairs.
- Seek professional advice for improved deck weld repairs, alternatives, and recommendations.
- Seek advice for appropriate staff training such that Port staff can make improved deck weld repairs.
- Coordinate with industry steel deck suppliers and university research experts on the state-of-the-art issues and repair opportunities.
- Implement a repair and monitoring program that will help the Port collect data on the effectiveness of weld repair alternatives. Using the results from this simple plan, the Port can weigh the options for repair and determine how to best spend Port resources to resolve this maintenance issue in the near and long-term, considering the full length of the bridge.

### **Steel Deck Weld Repair & Monitoring Program:**

The Port and HNTB have collaborated to develop a simple, efficient, and targeted plan to address this public nuisance, maintenance, and safety concern. HTNB recommends the following:

1. Identify and mark out a specific area of the bridge to be used to evaluate the effectiveness of weld repair alternatives (completed).
2. Perform initial baseline survey of weld cracking and repairs.
3. Identify 3 areas where 3 different weld repair alternatives will be implemented.
4. Procure an independent certified welder to perform weld repairs.
5. Actively include Port staff to observe certified weld repairs on the bridge.
6. Engage Port staff in supplemental weld training.
7. Perform intermittent visual inspections of targeted areas of deck weld cracking and repairs on regular intervals.
8. Evaluate the effectiveness of weld repairs and determine the most appropriate solution. Provide a final Steel Deck Weld Repair memorandum with clear directions for ongoing maintenance.
9. Use Port staff to conduct on-going weld repairs as identified in the final memo.

This plan includes using a certified welding contractor to perform targeted weld repairs. Port staff will be able to observe the repairs and learn from the procedures used. This will allow Port staff to use the repair procedures on other areas of the bridge, effectively transferring this knowledge and skill to the Port. The result of this plan will be on-going

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Steve Burdick, Development Manager  
February 14, 2012

maintenance recommendations and preventative measures to avoid extensive cracking or optimize Port use of resources, with careful consideration of public safety. The program will have short term and long term objectives.

Attachment A shows the selected area for the Steel Deck Weld Repair & Monitoring Program.

### **CONCLUDING REMARKS**

This letter is advice regarding supplemental inspections performed by HNTB and does not replace or modify the findings or recommendations of inspections by others. HNTB willing and able to continue to provide the services listed in this letter. Thank you again for giving HNTB the opportunity to again serve the Port of Hood River. If you have any questions regarding information discussed in this letter report please do not hesitate to contact me at (503) 205-4145.

Sincerely,  
HNTB Corporation

David D. McCurry, Jr., PE  
Project Manager | Senior Bridge Engineer

cc: File

## Commission Memo

**To:** Commissioners  
**From:** Fred Kowell  
**Date:** February 19, 2013  
**Re:** FY Adopted Budget Math Correction

---

In preparing the adopted budget for FY 2012-13 a math error occurred and was discovered in the audit of the FY 2011-12 financial statements. In the attachment you will see that \$9,042 was not added to the Materials & Services in the budget document. By fixing this math error the adopted budget document will agree to the budget resolution adopted by the Board of Commissioners. This fix will increase Materials & Services in the budget document and decrease the unreserved fund balance by a like amount. This will have no impact to the total appropriations adopted by the Board.

**RECOMMENDATION:** Approve adjustment to Adopted Budget document to agree with Budget Resolution No. 2011-12-3.

PORT OF HOOD RIVER  
Budget Correction due to Math Error  
For the FY 2012-13

Per Resolution No. 2011-12-3  
*Appropriations*

	Per Budget Document			
	General Fund	Revenue Fund	Bridge Repair & Replacement Fund	Correction
Personal Services	\$ 79,300	\$ 1,422,885	\$ 12,250	
Materials & Services	272,760	1,530,082	1,000	9,042
Capital Outlay	-	7,239,000	500,000	
Debt Service	-	171,000	704,000	
Transfers	-	1,576,124	-	
Contingency	-	-	-	
Total Appropriations	\$ 352,060	\$ 11,939,091	\$ 1,217,250	
Total Unappropriated and Reserved Amounts by Fund	\$ -	\$ 670,416	\$ 981,291	(9,042)
Total Appropriations, All funds			13,517,443	
Total Unappropriated and Reserved Amounts All Funds			1,642,665	
TOTAL ADOPTED BUDGET			15,160,108	

# Commission Memo

**To: Commissioners**  
**From: Michael McElwee**  
**Date: February 19, 2013**  
**Re: Urban Renewal Agency Agreement**

---

On February 11 the Hood River Urban Renewal Agency Board ("Agency") approved the attached "Amended and Re-stated Intergovernmental Financing Agreement and Consolidated Loan Agreement" (IGA) covering various Waterfront urban renewal projects. The agreement:

- Requires the URA to devote all tax increment above 10% over the Agency's administrative costs to re-payment of City and Port urban renewal debt. This will allow for more rapid re-payment of the Port's existing urban renewal project loans.
- Combines all existing Port loans (excepting the Sewer Plant loan) into one Consolidated Loan.
- Identifies the following priority order for debt re-payment:
  - City loan for Sewer Plant engineering
  - City & Port loan for Sewer Plant upgrades
  - Consolidated Loan
- Commits the Port to up to \$225,000 of loan funding for the URA to install angled parking in front of the Waterfront Park and includes it with the Consolidated Loan.

Staff will review other terms of conditions of the IGA with the Commission.

**RECOMMENDATION:** Authorize Amended and Re-stated Intergovernmental Financing Agreement and Consolidated Loan Agreement with the City of Hood River Urban Renewal Agency.



AMENDED AND RESTATED INTERGOVERNMENTAL FINANCING AGREEMENT  
AND CONSOLIDATED LOAN AGREEMENT  
(Hood River Waterfront Urban Renewal Project Financing)

DATED: \_\_\_\_\_, 2013

PARTIES: CITY OF HOOD RIVER "City"  
an Oregon municipal corporation  
P.O. Box 27  
Hood River, OR 97031

PORT OF HOOD RIVER "Port"  
an Oregon municipal corporation  
1000 E. Port Marina Drive  
Hood River, OR 97031

HOOD RIVER URBAN RENEWAL AGENCY "Agency"  
P.O. Box 27  
Hood River, OR 97031

RECITALS

- A. The Port, the City of Hood River and the Agency entered into an Intergovernmental Financing Agreement dated March 23, 2009 to provide financing for Hood River Waterfront Urban Renewal Plan ("UR Plan") projects as identified in the Hood River Waterfront Urban Renewal Plan ("2009 IGA"). The 2009 IGA set the parties' understandings relating to UR Plan project priorities, funding contribution commitments, and loan obligations.
- B. Pursuant to the 2009 IGA, and certain loan agreements entered into pursuant to the 2009 IGA as described in paragraphs 2 and 3, the City has loaned to the Agency approximately \$325,000 to finance Sewer Plant Upgrades and Port has loaned, or is prepared to loan under the terms described in this Amended and Restated Intergovernmental Financing Agreement ("2013 IGA"), approximately \$900,000 to the Agency to finance Sewer Plant Upgrades, Anchor Way improvements, Portway Avenue I and II improvements, and the Parking Improvements (described below). The first four projects listed were the first four priorities in the 2009 IGA after repayment of (a) initial costs to establish the UR Plan and

(b) the costs of Sewer Plant Design and Engineering. Repayment of (a) is complete. There is \$63,788 remaining to be paid on (b).

- C. The Agency now desires to undertake construction of off-street angled parking on Portway Avenue adjacent to the Waterfront Park ("Parking Improvements"). The Port is willing to finance the cost of such construction under certain conditions.
- D. The Agency has collected and is projected to collect substantially more tax increment revenue (TIR) from the Waterfront Urban Renewal Area than projected in the calculations supporting approval of the UR Plan in 2008 and the approval of the 2009 IGA. Significant growth in assessed value in the area has been encouraged by strategic investments in infrastructure by the Port, the City and the Agency. The highly successful catalytic effect of the public improvements has produced TIR that is and will be available to pay the existing Port and City loans more quickly than anticipated.
- E. It is in the best interest of all parties that the balance of the Sewer Plant Design and Engineering Costs, the Port debt, and City debt, as to the Sewer Plant upgrades, be satisfied in order to prepare for future public investment opportunities that meet UR Plan goals.
- F. The Port, City and Agency now desire to amend the 2009 IGA and associated loan agreements and provide the terms of the Port's financing of the Parking Improvements, in a comprehensive agreement.

#### TERMS AND CONDITIONS

1. Agency and City Authority Regarding Project Priorities. The parties agree that the Agency is vested with the sole authority to prioritize project funding and construction under the UR Plan and that the City Council, or in some cases the Agency, has the authority to modify the UR Plan which includes material alteration to the projects described therein, only in accordance with the terms of the UR Plan. Prior to the City Council or the Agency approving any modification to the UR Plan, the City will meet with the Port to discuss the modification.
2. Payment of Sewer Plant Design and Engineering Costs. The City has incurred expenses associated with the Sewer Plant Design and Engineering that have not been repaid pursuant to the 2009 IGA and these shall have first priority for re-payment once tax increment revenue is received. Agency shall reimburse City the balance listed in Recital B without interest. Repayment of Sewer Plant Design and Engineering costs shall be made subject to availability of tax increment funds after any Agency administrative or operational expenses. In each year that the Agency collects tax increment funds, as soon as administratively feasible, Agency shall pay all tax increment collected in that fiscal year in excess of Agency administrative or

operational costs to the City until the Sewer Plant Design and Engineering costs have been paid.

3. Revision to Intergovernmental Loan Agreement (Hood River Sewer Plant Upgrade). On March 23, 2009, the City, Port and Agency executed the Intergovernmental Loan Agreement (Hood River Sewer Plant Upgrade) ("Sewer Plant Loan Agreement"). The parties hereby agree to the following revisions to the Sewer Plant Loan Agreement.

- a. Paragraph 4: The interest rate will be changed from 1.4% per annum to 2% per annum.
- b. Paragraph 5 is deleted in its entirety and replaced by the repayment terms stated in Paragraph 5 below of this 2013 IGA.
- c. Paragraph 6 is deleted in its entirety.
- d. All other provisions of the Sewer Plant Loan Agreement remain the same.

4. Consolidated Intergovernmental Loan Agreement (Port and Agency). The Agency and the Port hereby amend and consolidate the Intergovernmental Repayment Agreement (Portway Avenue Improvements I) dated March 23, 2009, as amended on August 8, 2010, the Intergovernmental Repayment Agreement (Portway Avenue Improvements II) dated December 12, 2012, the Intergovernmental Repayment Agreement (Anchor Way Improvements) dated March 23, 2009 ("Prior Loan Agreements") as provided herein and to add financing and construction costs commitments for the Parking Improvements on the terms and conditions described in Section 6 below ("Consolidated Loan"). The parties may amend this 2013 IGA in the future to add additional projects.

5. Funding Terms. The Consolidated Loan and the Sewer Plant Loan will be funded as follows:

- a. Interest: Agency shall pay interest to the Port and the City at the rate of two percent (2%) per annum. Interest on the Sewer Plant Loan Agreement will begin to accrue after the first debt service payment is made. Interest on the Consolidated Loan will begin to accrue after the Sewer Plant Loan Agreement is paid in full.
- b. Loan Payments: Agency agrees to budget the Sewer Plant Loan payments for each fiscal year in which Agency anticipates receiving TIR and during which the loans evidenced by the Sewer Plant Loan Agreement are outstanding. Prior Loan Agreements and the Parking Improvements loan shall be merged into one loan referred to as the Consolidated Loan. When the Sewer Plant Loan Agreement is paid in full, the Agency agrees to budget for the Consolidated Loan payments for each fiscal year in which Agency anticipates receiving tax increment revenues and during which the

loan evidenced by the Consolidated Loan is outstanding. Agency agrees that these two loans shall have funding priority in the Waterfront Plan's annual budget secondary only to administrative and operational expenses (including any necessary reserve and contingency funds). In any year when the Consolidated Loan or the City Sewer Loan is outstanding, Agency will make the budgeted loan payments, or an amount that would result in an ending fund balance of 10% of operating requirements, whichever is smaller, by June 30 of each fiscal year. Since it is the intent of this 2013 IGA that all available tax increment revenues are used to repay outstanding loan amounts as soon as administratively feasible, a supplemental payment will be made after the audit is issued. This supplemental payment will be equal to the Agency's total TIR collection received in the fiscal year in which the budgeted loan payment was made, minus the sum of: the Agency operating expense budget for that year, and 10% of the operating expense budget. Agency will make the annual payment on or before January 15<sup>th</sup> of each fiscal year, 15 days after the audit filing date. The payment will be accompanied by a statement showing the Agency's calculation of the payment.

- c. Distribution and Application of Payments: The Agency will direct payments to the City and to the Port, as follows:
  - i. First, to the City to retire the balance of the Sewer Plant Design and Engineering costs;
  - ii. Next, one half of each payment will be made to each of the Port and City until the total principal with accrued interest on the Sewer Plant Loan is paid;
  - iii. Thereafter, the annual payment will be made to the Port until the total principal with accrued interest on the Consolidated Loan is paid.
- d. Application of Payments. All Agency payments received will be credited, first to interest and then to principal of the loan to which payment is directed and applied.
- e. Loan Term; Prepayment. The nominal term for each of the Sewer Plant Loan and the Consolidated Loan shall be twenty years from the date of this 2013 IGA ("Maturity Date"), with all principal and interest due at the Maturity Date. The parties anticipate that the Loans will be retired before the Maturity Date and to the extent that earlier retirement constitutes prepayment, prepayment is allowed without penalty.

- f. Subordination. City and Port will not subordinate their respective rights as payees under the Loans to any other Agency debt.
6. Parking Improvements. Port agrees to loan to Agency the sum of up to Two Hundred Twenty Five Thousand Dollars (\$225,000) for the construction of off-street angled parking on Portway Avenue adjacent to the Waterfront Park. The initial loan proceeds will be advanced to Agency upon Agency's delivery to the Port of executed contract documents to construct the Parking Improvements provided that the contractor provides a fixed project price that is within the engineering estimate for the project. Port shall loan to Agency an amount equal to the fixed project price not to exceed \$225,000. Upon receipt of the loan proceeds, Agency agrees to proceed with due diligence to complete the Parking Improvements in accordance with the contract documents. The loan for the Parking Improvements is a part of the Consolidated Loan.
  7. Use of Repaid Funds. The Port will consider using funds repaid by the Agency under the Consolidated Loan Agreement for eligible projects in the UR Plan Area which may include "matching funds" for Lot 1 infrastructure loans or grants. The Port will consult with the Agency in determining the projects that will be benefitted.
  8. Master Plan for Nichols Boat Basin. Port, City and Agency will cooperate on a master plan to develop and revitalize Nichols Boat Basin.
  9. Binding Effect. This 2013 IGA shall be binding on and inure to the benefit of the parties and their respective successors and permitted assigns.
  10. Assignment. Neither this 2013 IGA nor any of the rights, interests, or obligations under this 2013 IGA shall be assigned by any party without the prior written consent of the other parties.
  11. Third Party Beneficiaries. Nothing in this 2013 IGA, express or implied, is intended or shall be construed to confer on any person, other than the parties to this 2013 IGA, any right, remedy, or claim under or with respect to this 2013 IGA.
  12. Amendment. This instrument may be amended only by an instrument in writing executed by all the parties, which writing must refer to this instrument.
  13. Remedies. The parties agree that the remedy at law for any breach or threatened breach by a party may, by its nature, be inadequate, and that the other parties shall be entitled, in addition to damages, to a restraining order, temporary and permanent injunctive relief, specific performance, and other appropriate equitable relief, without showing or proving that any monetary damage has been sustained.

14. Severance. If any provision of this 2013 IGA shall be invalid or unenforceable in any respect for any reason, the validity and enforceability of any such provision in any other respect and of the remaining provisions of this 2013 IGA shall not be in any way impaired.
15. Except as specifically amended herein, the Prior Loan Agreements and Sewer Plant Loan Agreement shall remain in full force and effect. In the event of a conflict between the provisions of this 2013 IGA and the Prior Loan Agreements or the Sewer Plant Loan Agreement, the provisions of this agreement shall apply.

PORT OF HOOD RIVER

CITY OF HOOD RIVER

\_\_\_\_\_  
Michael McElwee, Executive Director

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Robert Francis, City Manager

HOOD RIVER URBAN RENEWAL AGENCY

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Robert Francis, Administrator

Approved as to form:

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Dan Kearns, City Attorney

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Deborah M. Phillips, Agency Attorney

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Jerry Jaques, Port Attorney