



PORT OF HOOD RIVER COMMISSION

AGENDA

Tuesday, October 4, 2022

Port Conference Room

1000 E. Port Marina Drive, Hood River

1. Call to Order – 5:00 p.m.
 - a. Modifications, Additions to Agenda
 - b. Public Comment (5 minutes per person per subject; 30-minute limit) (*Written Public Comment Received, Page 3*)

2. Consent Agenda
 - a. Approve Minutes from the September 13, 2022 Regular Session and the September 23, 2022 Special Session (*Patty Rosas, Page 7*)
 - b. Approve Disposal of Degraded Docks Pursuant to Port’s Surplus Property Procedure (*John Mann, Page 15*)

3. Informational Reports
 - a. Bridge Replacement Project Update (*Michael Shannon, HNTB, Page 17*)

4. Presentations & Discussion Items
 - a. Food Concessions on the Event Site Dock Discussion (*Daryl Stafford, Page 21*)

5. Interim Executive Director Report (*Genevieve Scholl, Page 23*)

6. Commissioner, Committee Reports

7. Action Items
 - a. Approve Resolution 2022-23-1 Authorizing Port Bank Account Signatories (*Jana Scoggins, Page 33*)
 - b. Approve Resolution 2022-23-2 Naming Kevin Greenwood, Executive Director, as the Registered Agent of the Port of Hood River (*Genevieve Scholl, Page 37*)
 - c. Approve Intent to Award Contract for Wire Ropes Replacement Project (*John Mann, Page 41*)
 - d. Approve Contract with Arup US, Inc. for Consulting Services Related to Replacement Bridge Management Contract Not to Exceed \$50,000 (*Kevin Greenwood, Page 47*)

8. Commission Call

9. Confirmation of Commission Directives to Staff

10. Executive Session under ORS 192.660 (2) (e) to conduct deliberations with persons designated to negotiate real property transactions.

11. Possible Action

12. 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.*

From: [Port of Hood River](#)
To: [Genevieve Scholl](#)
Subject: Contact Form Submission from Port of Hood River Website
Date: Monday, September 26, 2022 3:11:55 PM
Attachments: [ninja-forms-submission.csv](#)

This was entered into the Contact Form on the Port of Hood River Website:

Name: Janelle Koester

Email: [REDACTED]

This message is for Port Staff & Commissioners.

Today at approximately 12:30pm a man with 2 large off-leash/out-of-control husky/malamute dogs had an interaction with me and a friend, Rose Gaither. Her two 10-pound dogs were on leashes. The husky dogs raced up to us and I was certain they were going to jump or knock us over. They started attacking Rose's small dogs and running circles around us. We both begged and pleaded for the man to leash his dogs since he held leashes in his hand. He refused and the dogs didn't obey any voice commands from him. I held on to a nearby tree so I was not knocked over.

This all occurred near the restrooms that are closest to the West Marina access & the museum.

Message: We told the dog owner that it was the law that dogs need to be under control. He disagreed, saying he didn't have to leash them. He also started calling us "you people who move here" implying that he had more rights since he thought we were tourists. I've lived in Hood River OVER 28 years. I finally yelled "shame on you! leash your dogs" and he eventually did but not without further verbal abuse. He refused to provide his name when asked.

We called Amanda of animal control and described the man & his dogs. Amanda said she could not cite the man but would attempt to find him and explain the rules. I went into the museum until I was sure the dogs were far enough away that I could walk back to my car without harm.

Please provide MORE signage and ENFORCE these laws with citations. I think dog owners would obey the rules if they knew there were consequences for actions like this. At this time, there are so many who still don't leash their dogs on the waterfront endangering everyone and especially small children. People in Hood River deserve to be safe while enjoying Port property. As is, I feel terribly unsafe and extremely sad about this situation that has gone unchecked for too long.

From: [REDACTED]
To: porthr@gorge.net
Subject: Safety Concern...at The Marina
Date: Monday, September 26, 2022 6:14:45 PM

Dear Port Staff & Port Commissioner,
My name is Rose Gaither and I am a resident of Hood River.
Janelle Koester, a friend of mine, has written a letter of concern to you today and I am the individual she is referring to.
I have read her account and I am in complete agreement of the facts she stated therein.

I have two small dogs, who were both on 4' foot leashes and Janelle and I were talking under the shade of the trees, close to the restrooms, at approximately 12:30 today, September 26, 2022.

I saw 2 large huskies OFF LEASH, running at a high rate of speed, directly for us. I was quite alarmed and told Janelle to turn around (her back was to the rapidly approaching dogs). Janelle turned around and both dogs were all over my two small dogs and one of my dogs was repeatedly crying out and yelping. The husky dogs were just running in circles and lunging at me and my dogs...we begged this man to get control of his dogs and leash them up-he tried a couple of times to call them, but both dogs were COMPLETELY OUT OF CONTROL...and the dogs did not respond to him.
Ultimately one of the dogs was grabbed by the collar, by the owner and at that point I was just trying to get away...I felt trapped...and I felt threatened.

The owner, a man wearing a yellow/golden shirt was approximately in his late 60's . Janelle tried to tell him it was the law to have control over your dog and to have them leashed, he disagreed.

Amanda with Animal Control was contacted by both of us and she was able to speak with this man.
Amanda informed me, he had both dogs on leashes, when she had approached him.

I am a retired RN who worked in ICU for 10 years and flew on a rescue helicopter in the SF Bay Area and outlying areas for 25 years.
I have taken care of young children missing part of their face and hands, due to dog mauling. It is horrific.
No child was injured today, nor were my dogs physically harmed, but, my friend Janelle Koester and I AND my 2 dogs, were TERRORIZED today, at The Marina area, in The Hood River Port.
I was afraid for my dogs lives and our safety, as well.
It was a very frightening experience and what made it even worse, was this man's total lack of respect and his utter disregard for Janelle, myself and my dogs.

What started off as such a beautiful day and outing with my dogs, turned into a nightmarish event that left my heart racing and feeling tremendous fear.

I implore you to enforce stricter dog rules, in The Marina area, with additional resources, additional policing and individuals, (ie Animal Control) who have the authority to issue citations.

I look forward to hearing from you.
Rose Gaither



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

5:00 p.m.
Regular Session

PRESENT: Commissioners: Ben Sheppard, Kristi Chapman, Mike Fox, Hoby Streich, and Heather Gehring. Legal Counsel: Anna Cavaleri. From Staff: Genevieve Scholl, Kevin Greenwood, Greg Hagbery, Daryl Stafford, John Mann, Michael Shannon, and Patty Rosas. Guests: Steve Tessmer, and Doug Powrie.

ABSENT: None

MEDIA: None

1. CALL TO ORDER: President Ben Sheppard called the meeting to order at 5:00 p.m.

a. **Modifications or additions to the agenda:**

- 1) Addition: Action Item 8(d) – Utility License Agreement on the bridge.
- 2) Addition: Bridge Replacement Project Update – Discuss October 14 meeting.
- 3) Addition: Bridge Replacement Project Update – Discuss other upcoming state meetings.

b. **Public Comment:**

Steve Tessmer, Hood River resident and boathouse tenant at the Port of Hood River (“Port”), commented that the boathouse community has been working towards clearing up misinformation that the Port Commission relied upon to make recent decisions. Tessmer provided a preliminary summary and requested that the Commission review it and allow the opportunity for them to provide more supporting documents and fair solutions. Tessmer also requested that the boathouse tenants be included in any discussions between staff, consultants, Ad-hoc Committee and Commissioners.

Doug Powrie, Hood River resident and boathouse tenant at the Port, noted that the purpose of the summary is for the Commission to reconsider their decision on whether to renew boathouse leases. Powrie is requesting that the Commission postpone their decision until the boathouse owners have an opportunity to present their findings from their own studies to the Commission.

2. CONSENT AGENDA:

- a. Approve Minutes from August 16, 2022 Regular Session
- b. Approve Amendment No. 4 to Contract with Fred Kowell for Financial Consulting Services in the Amount of \$10,000
- c. Approve Accounts Payable to Jaques Sharp in the Amount of \$27,400

Motion: Approve consent agenda.

Move: Heather Gehring

Second: Kristi Chapman

Discussion: None

Vote: Unanimous

MOTION CARRIED

3. INFORMATIONAL REPORTS:

- a. **Financial Report for the Year Ended June 30, 2022** – Commissioner Mike Fox asked how much each cost center spent and total revenue generated, excluding bridge tolls. Genevieve Scholl, Interim Executive Director, replied that this information could be found on the Statement of Operating

Revenues, Expenditures and Other Sources and Uses of Funding. Commissioner Fox commented that Port should look at other ways to generate revenue, unrelated to the bridge, as soon as possible. Commissioner Fox expressed his concern that the bridge could be gone sooner than expected. Commissioner Hoby Streich suggested that the Commission work with staff to identify staff needs to be able to provide recommendations regarding other revenue sources.

4. PRESENTATION & DISCUSSION ITEMS:

- a. **Request for Architectural Approval Required by CCRs for 214 Wasco St, IBC Construction** –Scholl introduced Vanessa Sandoval and Mike Ketler of IBC Construction. IBC Construction intends to construct a new building on a parcel previously owned by the Port, at 214 Wasco Loop. Scholl noted that there are CCRs that require Port Commission approval. Ketler provided a brief overview of the proposed building and is seeking approval from the Commission for construction design. Commission Consensus was to approve construction design for proposed building at 214 Wasco Loop in Hood River

5. **EXECUTIVE DIRECTOR REPORT:** Scholl reported that a notification was received this week regarding the retirement of Port general legal counsel Jerry Jaques. Jaques and his team have prepared a Request for Qualifications (RFQ), to go out immediately upon commission approval.

Scholl commented that although the Oregon State Marine Board (OSMB) director agreed to flexibility in the rules for boathouses, the Port has authority to implement stricter rules than is required by law. Staff is working with tenants to lessen the impact and will allow boathouses that are in good condition.

Staff received the preliminary draft report from David Evans Associates for this year's Fracture Critical and Fatigue Prone Inspection. Mark Libby of HDR Engineers has also received the report and will prepare a presentation for the Commission on October 4.

Scholl provided a brief update on the Utility License Agreements and noted that the terms are still being reviewed by both legal teams. The third extension expires on September 30. The additional Action Item (d) is to authorize the Executive Director to sign those agreements as soon as soon as the final document is received before September 30 or authorize an extension to November 1.

6. **BRIDGE REPLACEMENT PROJECT UPDATE:** Kevin Greenwood reported that he received an email from Dan Mahr, Field Representative for US Senator Jeff Merkley, noting that the Senator did reach out to the secretary with Pete Buttigieg's office to make a personal request for the Ports INFRA grant application.

Greenwood noted that the application for the \$2 million Safe Streets for All (SS4A) action planning grant is complete. The deadline for SS4A application is September 15. Greenwood is seeking approval to move forward with the grant application. There was Commission consensus to proceed with the SS4A grant application process.

There is a tour with Washington and Oregon state legislators scheduled for October 14. The legislators will receive an update on the replacement bridge project. Greenwood also noted that they are coming into the long session in Salem and Olympia. The Bi-State Working Group (BSWG) is setting up meetings with key legislators.

Greenwood turned to Mike Shannon of HNTB for a brief update. Shannon reported that HNTB will be presenting to the Commission the work they have currently done with the project delivery method

followed by a recommendation in December. HNTB will also be advancing in geotechnical work and early engineering work. HNTB will soon be providing a scope fee to the Port to advance in geotechnical work as well as early design work, and additional HNTB staff support.

Shannon explained that one reason they are requesting additional funds for WSP is for the biological opinion that has been delayed. Shannon believes that they will receive the biological opinion in January. Once it is received WSP will need about four weeks to turn it around and complete the NEPA and ROD by early March.

7. COMMISSIONER, COMMITTEE REPORTS:

- a. **Urban Renewal Agency (URA)** – Commissioner Heather Gehring reported that at the URA meeting they discussed the feasibility study for the west side and feels that this is the direction they are going towards.
- b. **Energy Council** – Commissioner Kristi Chapman reported that the Energy Council is currently working on a project called Solarize Hood River County. It is a campaign to do educational workshops to help reduce rates for individuals interested in solar storage. The Energy Council is also working on an educational event to promote electric vehicles.

8. ACTION ITEMS:

- a. **Approve Acceptance of Grant Offer for Airport Improvement Program Project No. 3-41-0026-017-2022 at Ken Jernstedt Airfield.** Greg Hagbery, Development and Property Manager commented that this is Phase I for Design and Bidding that will ultimately complete the construction of the Automated Weather Observing System (AWOS) Improvements project at the Ken Jernstedt Airfield.

Motion: Approve Acceptance of Grant Offer for Airport Improvement Program (AIP) Project No. 3-41-0026-017-2022 at Ken Jernstedt Airfield and allow the Interim Executive Director to sign on behalf of the Port.

Move: Kristi Chapman

Second: Hoby Streich

Discussion: Commissioner Streich suggested equipment that can detect smoke or clouds if available.

Vote: Unanimous

MOTION CARRIED

- b. **Approve Amendment No. 9 to Contract with WSP for Environmental Consulting Related to Bridge Replacement.**

Motion: Authorize amendment No. 9 with WSP for continued environmental work in an amount not to exceed an additional \$40,514 and total contract value of \$3,461,733 through March 2023.

Move: Mike Fox

Second: Hoby Streich

Discussion: Commissioner Fox requested that HNTB keep track of these issues to have a record of why costs are going up.

Vote: Unanimous

MOTION CARRIED

- c. **Authorize Issuance of Request for Qualifications (RFQ) for General Counsel Services.** Scholl expressed her gratitude to Anna Cavaleri and team for drafting the RFQ. Commissioner Sheppard added that Jaques Sharp will also help in the vetting of potential firms.

Motion: Authorize Issuance of Request for Qualifications for General Counsel Services.
Move: Hoby Streich
Second: Mike Fox
Discussion: None
Vote: Unanimous
MOTION CARRIED

- d. **Authorize the Port's Executive Director to either execute one or more of the Utility Agreements subject to legal counsel's concurrence or execute an extension to November 1 if necessary.**

Motion: Authorize the Port's Executive Director to either execute one or more of the Utility Agreements subject to legal counsel's concurrence or execute an extension to November 1 if necessary.
Move: Kristi Chapman
Second: Mike Fox
Discussion: None
Vote: Unanimous
MOTION CARRIED

9. COMMISSION CALL:

- a. Commissioner Streich asked for clarification on Commissioner Fox's statement regarding the deterioration of the bridge. Commissioner Fox replied that an engineer will be attending the next meeting to further discuss the condition of the bridge and added that he is concerned over the downgrade of the sufficiency rating.
- b. Commissioner Gehring attended the Fly-in and commented that it was a big success.

10. CONFIRMATION OF COMMISSION DIRECTIVES TO STAFF:

- a. Staff will seek AWOS equipment with smoke and cloud detection if available.
- b. Staff will speed up their efforts to increase revenue at all cost centers.

- 11. EXECUTIVE SESSION:** President Ben Sheppard recessed Regular Session at 6:20 p.m. to call the Commission into Executive Session under ORS 192.660(2)(f) to consider information or records that exempt from disclosure by law, including advice from legal counsel.

12. POSSIBLE ACTION: Approve Employment Agreement with Kevin Greenwood for the position of Executive Director.

Motion: Approve Employment Agreement with Kevin Greenwood for the position of Executive Director.
Move: Kristi Chapman

Second: Mike Fox
Discussion: None
Vote: Unanimous
MOTION CARRIED

13. ADJOURN:

Motion: Adjourn the meeting
Vote: Unanimous
MOTION CARRIED

The meeting adjourned at 6:20 p.m.

Respectfully submitted,

Patty Rosas

ATTEST:

Mike Fox, Secretary

Ben Sheppard, President (In absence of Secretary)

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

**10:00 a.m.
Special Session**

PRESENT: Commissioners: Ben Sheppard, Kristi Chapman, Mike Fox, and Heather Gehring. Legal Counsel: Anna Cavaleri. From Staff: Genevieve Scholl, Kevin Greenwood, Greg Hagbery, John Mann, Michael Shannon, and Patty Rosas. Guests: None

ABSENT: Hobby Streich

MEDIA: Noah Noteboom

1. CALL TO ORDER: President Ben Sheppard called the meeting to order at 10:00 a.m.

a. **Modifications or additions to the agenda:**

1) Addition: Authorize purchase for Lower Hanel Mill project.

2. ACTION ITEMS:

a. **Consider approval of a \$5 million BUILD grant agreement with the United States Department of Transportation for the engineering and project management services related to the replacement of the Hood River-White Salmon Bridge.** Kevin Greenwood noted that the grant can be used for HNTB expenses.

Motion: Authorize Genevieve Scholl to sign the US Dept. of Transportation/FHWA 2020 Build Grant Agreement on behalf of the Port and accept funds for the engineering and design costs of the Hood River/White Salmon Interstate Bridge Replacement.

Move: Mike Fox

Second: Kristi Chapman

Discussion: None

Vote: Unanimous

MOTION CARRIED

b. **Authorize purchase of up \$17,000 for ADS pipe at Lower Hanel Mill for Wetland mitigation.**

Motion: Authorize purchase of up \$17,000 for ADS pipe at Lower Hanel Mill for Wetland mitigation.

Move: Kristi Chapman

Second: Mike Fox

Discussion: None

Vote: Unanimous

MOTION CARRIED

3. ADJOURN:

Motion: Adjourn the meeting

Vote: Unanimous

MOTION CARRIED

The meeting adjourned at 10:05 a.m.

Respectfully submitted,

Patty Rosas

ATTEST:

Mike Fox, Secretary

Ben Sheppard, President (In absence of Secretary)

Commission Memo



Prepared by: John Mann
Date: October 4, 2022
Re: Disposal of Old Dock Floats

The Port needs to dispose of the old guest dock floats before the contractor can install the new floats associated with the Boat Launch Floats and Ramp Float replacement Project, which is funded by an Oregon State Marine Board grant. The south side ramp will be demolished and placed in a dumpster as planned by staff. Commission authorization is required to dispose of the north side ramp in the following manner:

- 1) The old docks must be hauled away or demolished because they are badly damaged and a public safety concern pursuant to the Ports Surplus Property procedure set forth in Resolution 2015-16-7(1.2 (a), (i)).
- 2) The in-house cost of demolition is more expensive than haul away by others, (see line 4 cost breakdown) which shows the value of the docks at less than \$500.
- 3) Docks to be hauled away by Blair Simpson, a local contractor, who already is in possession of the equipment needed.
- 4) The dock demolition cost exceeds the haul away costs by \$3,330.
 - 1) Port labor cost would be - \$2880.
 - 2) Dumpster fees would be - \$450
 - 3) Total Port savings with this disposal method is - \$3,330.

RECOMMENDATION: Approval to disposal of degraded docks through removal by Blair Simpson pursuant to Port Resolution No. 2015-16-7(1.2 (a), (i)).

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Project Director Report
September 13, 2022

The following summarizes Bridge Replacement Project activities from Sept. 7 - 30, 2022:

- Monitoring social media activity on response to federal field rep tour.
- Received submitted support letter for \$100M BIP grant application (included) from Hal Hiemstra.
- Received draft bi-annual bridge inspection report with a reported sufficiency rating of 6.0. Rating had been 38.7 in 2020 and 44.7 in 2018. Final report due later this fall.
- With help of Hiemstra, set up meeting with Dr. Morteza Farajian the Exec. Dir. of the Build America Bureau, to discuss the new inspection report. Mayor Marla Keethler led conversation with HNTB staff backing her up.
- \$195M INFRA grant decision is being made soon, so the new rating may be helpful in showing the urgency.
- Coordinating preparation of BSWG meetings and packets with HNTB into the future. Eventually HNTB will be responsible for all meeting prep.
- Prepared invitation to Washington and Oregon legislators for October 14 tour. Brad Boswell and Dan Bates will be distributing.
- Emailed Nez Perce on update with Umatilla and Yakama regarding draft Treaty agreement. Scheduled to call later this month.

9/8 HRB Cultural Resources Coordination Meeting Action Items

• Section 106 MOA

- ODOT to review the Section 106 MOA, AMIDP, and Comment log – Probably won't get to this until the week of 9/19

• Traditional Cultural Properties (TCP)

- This is not complete – To move forward, we need to have the treaty mitigation package ready. ODOT has to take the package to Yakama to show them everything the project has compiled and how we'll address the Yakama stipulations. YN would then be willing to concur that we are having a no adverse effect on the TCP due to consultation and mitigation
 - ODOT needs this full package for Yakama. Once project receives concurrence on TCP (contingent on full package) project can issue the Joint Finding of Effect and complete with Section 106 work and MOA can be signed
- Yakama doesn't want to sign off before the Treaty MOA is in place. Should be satisfied once we can show him that we have documents for his mitigation request
 - After that we can resolve with DAHP and work with YN to get it through DAHP

- Project should have the stipulations addressed and flushed out to show to the Yakama Nation before sending to FHWA
 - Yakama needs to have some confidence that the Treaty MOA addresses their concerns before project can advance the Section 106 MOA
- **Treaty MOA - WSP**
 - WSP needs ODOT's input on the Treaty MOA before advancing it
 - Also need to include the matrix that shows BiOp, FEIS/ROD, etc. status
 - FHWA will need to review the Treaty MOA as well.
 - Meeting with FHWA next Friday (9/16)
 - Discuss the Treaty MOA at this meeting
 - **Try to get comments/feedback from project group to WSP by 9/15 before the meeting with FHWA on 9/16. If this isn't possible, please provide comments by 9/21**
 - The process to get signatures will be lengthy
- **ACHP Letter and Consultation Attachment – WSP**
 - ODOT had one comment addressed in the ACHP Letter
 - ODOT Archae said the referenced paragraph looks good
 - Discussed the Consultation Summary attachments
 - WSP to make final edits, and after editing will provide to FHWA for review, concurrence, and sending
- **Fishing Agreement Discussions with Tribes – Kevin, ODOT, WSP**
 - Kevin has a meeting with Amanda Rogerson (Nez Perce) on 9/19
 - Not a lot more to discuss with tribes until we have the Treaty MOA draft buttoned up
 - ODOT mentioned that Kevin should to give Amanda a heads up stating that in talking to other tribes, they've suggested we prepare a draft document as a place to start from. Don't think we should just send it to them.
 - Kevin to Draft an email to Amanda and send to Roy (ODOT) for edits before sending to her.
 - No one has been talking to Warm Springs
 - Umatilla – We were going to send them a draft. Comment from Tara about TCPs and Brian was compiling all past notes to make sure we had them in one matrix.
- **Upcoming Meetings:**
 - 9/16 – Meeting with FHWA
 - 9/22 – NEPA/Cultural Team – **Reschedule to a date that works for Bob and Roy, as they are not available on 9/22, and add an extra 30 minutes**
 - TBD

OTHER NON-BRIDGE RELATED ACTIVITIES

- Reviewing municipal stormwater easement needs to public works staff.
- Part of management team discussion on marina roundtable planning regarding houseboats.
- Meetings with SDIS and staff discussing tractor accident.

- Began receiving information as new member of MCEDD board.

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Commission Memo



Prepared by: Daryl Stafford
Date: October 4, 2022
Re: Food Carts on the Event Site Dock

The Port approved and issued two Event Site Dock food cart permits in February 2022 for the summer season. One of the food carts opted not to move forward and instead focus on their downtown location, and the other had their cart craned in for set up, but was not able to meet the requirements of the County Health Department and never opened.

The Port then rented the south portion of the dock to Wylde Wind and Water and the north portion of the dock remained open to the public with picnic tables available on a first come first served basis.

Commission direction is sought moving forward regarding food carts at that location. The following are a few different options staff recommends the Commission consider:

1. Offer the location to a new food cart.

- a. Pros - People really enjoyed dining over the water; it is a nice location for viewing; gives a small, transient business an opportunity on the waterfront; opportunity for the Port to generate some revenue.
- b. Cons - Requires a fair amount of staff time and resources; risks to the Port when alcohol is sold; there are new complications with the health department for the carts to meet new state requirements; risks for the Port with DEQ Law regarding trash and liquids seeping into Nichols basin; congestion at the entrance of the Event Site for loading and unloading; potential damage to the dock; potential damage to the electrical system; the rate the Port needs to charge to cover Port expenses and generate revenue would be high for a transient business.

2. Offer the location to a new recreation concession.

- a. Pros - Provide an opportunity for a new business; generate income for the Port.
- b. Cons - Tricky location for a rental business; access and parking challenges; should not compete with concessions that currently have permits.

3. Leave the area open to the public with picnic tables.

- a. Pros - Public space with a view and tables for everyone, including non-recreationalists, to enjoy that is out of the wind; low risk, cost, and maintenance to the Port.

b. Cons - Does not generate revenue.


Staff recommends not allowing food carts on the Event Site dock and instead sourcing alternate locations for food carts on the Waterfront that would meet current zoning standards. If the right concession proposal were to be received that would not be a conflict with the existing vendors, the Port should consider it, otherwise leave the north end of the dock open to the public and continue with renting the south end of the dock to Wylde Wind & Water.

RECOMMENDATION: Discussion.

Interim Executive Director's Report for October 4, 2022

The following report is compiled from information provided by department managers as listed.

Administration – *Genevieve Scholl, Interim Executive Director*

- I am very pleased to note that this is my last report as Interim Executive Director and that Kevin Greenwood will take the helm on October 1. I want to commend everyone on staff, both full-time personnel and the temporary seasonal employees for all their hard work and dedication throughout the course of the summer. It was a significantly challenging season, and I'm happy that we were able to maintain momentum toward key Port goals while staying under budget and on schedule. We are all excited to continue this work under Kevin's leadership. Thank you to each member of the Commission for your support and assistance during my service as Interim.
- 
- A portrait of Kevin Greenwood, a middle-aged man with grey hair, smiling. He is wearing a light brown blazer over a blue and white checkered shirt and a red tie with white polka dots. A small blue pin is visible on his lapel. The background is a blurred green foliage.
- We were very happy with the attendance at the informal community meet-and-greet for Kevin on September 23 at Double Mountain in Hood River. Many thanks to Matt Swihart and the crew at the brewery for giving us so much space and for the great pizzas. It was really encouraging to see so many local elected officials, Port committee members, and stakeholders attend to welcome Kevin. Many thanks to all who attended.
 - The Oregon Public Ports Association annual conference took place September 29-20 in Newport, and Kevin was able to attend.
 - The PNWA annual conference takes place October 12-14 in Vancouver. Commissioner Fox and Michael Shannon will attend. Kevin and I worked together to submit the Port's requested updates to PNWA's annual Policies & Projects list, which is used in all federal lobbying efforts by the group and distributed pre- and post- the annual Mission to Washington D.C.
 - Kevin was able to attend the Hood River County Economic Development Group joint meeting with the Regional Solutions board on the 22nd. Kevin is now the Port's representative for both groups, which are coordinated by MCEDD staff.
 - Michael Shannon will provide details of the upcoming Oregon and Washington state legislative tour focused on bridge replacement scheduled for October 14 in his report.
 - The September Columbia Gorge Economic Indicators report is attached, highlighting interesting new data related to the share of the Gorge area workforce working from home.
 - CenturyLink and Spectrum have signed their new Utility License Agreements for their attachments to the bridge, with a new term expiring December 2027. NW Pipeline has requested a fourth extension, stating that the License Agreement in its current form is

unacceptable. Per my authority granted by the Commission on September 13, I have issued a Fourth Extension that expires on October 31.

Recreation/Marina – Daryl Stafford, Waterfront Manager

- Harvest Fest takes place October 7-9 at the Event Site. Attendance is anticipated to be over 10,000 people. The following weekend is the Columbia Gorge Marathon that hosts approximately 1,500 people, starting and finishing at the Event Site.
- Water and irrigation service goes off on the waterfront starting October 17th, and all restrooms except the tenant bathroom in the HRYC building will be closed until spring.
- Several of the recreation concessions have opted to utilize storage at the Maritime building over the winter months.
- The ramp floats for the cruise ship dock have arrived and have been staged at the Marina Boat Ramp parking lot. Installation is scheduled for the end of October when the fishing season slows down.



Development/Property – Greg Hagbery, Development & Property Manager

- Painting of the DMV Building has been completed.

- Permits for the re-roof of the DMV Building have been approved by the city. Gorge Enterprises intends to perform the work on the weekend of October 1st and 2nd to minimize disruption to the tenant.
- Lot 900 – Port legal team and staff continue to develop the draft Development Agreement and Land Lease. Project^ has been experiencing some delays in response from ODOT on critical questions regarding Right of Way requirements and City Engineering regarding utility relocations. Port staff has aided where possible.
- Staff is scheduled to meet with a representative from YRC/Oak Harbor to discuss alternatives for LTL trailer parking on west Portway Ave during the busy visitor season. Freight operations and adequate staging is a vital component to community industry. Staff seeks to investigate options to seasonally relocating trailer parking to provide additional visitor parking.
- The tenant-led HVAC project at the Halyard Building for the kitchen and break room is now scheduled for January of 2023, the delay due to long lead times of the RTUs.
- Staff is scheduled to meet with a City of Hood River representative regarding a stormwater quality treatment station the city desires to install on Port property near the Big 7 Building. The new outfall line for the stormwater system at the waterfront will also be discussed.

Airport – Greg Hagbery, Development & Property Manager

- On Thursday, September 29, a glider attempting to land at the airport crashed into the orchard located between Orchard Rd and Nunamaker Drive, northeast of the runway (see photo below). Fortunately, there were no injuries.



- Ecological Land Services was hired by the Port to coordinate with the Department of State Lands to vet and develop a new planting strategy for the Airport Wetlands. The current assessment of the wetlands noted too many invasive species had overtaken the recently planted native species.
- Staff is preparing to advertise an RFI for tenancy of the SDS Hangar to ensure community businesses with interest are informed of the opportunity and considered. Staff has received two inquiries of interest already.
- Port Facilities Staff is waiting on materials to trench and set a new vault to support a 3-phase power connection for the AVGAS tank.
- Airport Cameras – Initial estimates for fiber optic internet connections were significant. Staff is continuing to work with local internet providers to assess how best to get adequate bandwidth infrastructure installed at the airport to support the streaming cameras.
- The FBO Report for September is attached.

Bridge/Transportation – John Mann, Facilities Director

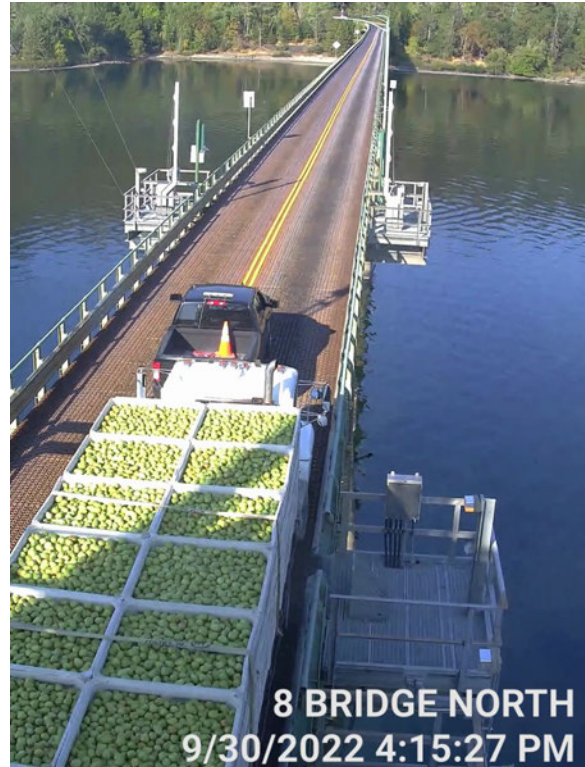
- Staff issued the Invitation to Bid for the Portway Stormwater Pipeline project on September 28. Bids are due October 25.
- Bids for the Wire Ropes Replacement project are to be received Oct 4. There are four companies on the Eligible Bidders list.
- Lower Mill wetland project is progressing well. This work is being performed in house by Port facilities staff. See photos below.



- Summer staff is done Monday Oct 3. Reduction in services back to normal winter services. We will have a farewell lunch for the remaining staff Friday, Sept. 30 in the afternoon at the Marina picnic shelter.
- Vault for electrical services has been purchased for the North Apron fuel dock and future development of the North Apron. This work will be performed in house.
- As mentioned in Daryl's report above, the new docks have been received for the Boat Launch Floats and Ramp project. Demolition of the old docks scheduled for October 10-14. A property disposal approval is a consent item on tonight's agenda. Installation of new docks Oct 17-21.
- On Friday, September 30 at around 3:15 p.m., a Peterbilt semi hauling pears broke its front axle in the northbound lane just south of the lift span. There were no available tow trucks closer than Brightwood, and significant traffic backups resulted.

Port facilities crews worked as quickly as possible to get flaggers on the bridge to control traffic and tow the truck off the bridge using the heaviest Port truck available, a Ram 3500. Genevieve authorized toll staff to temporarily stop collecting tolls to help clear the traffic backup on I-84 and SR14.

See photo to right.



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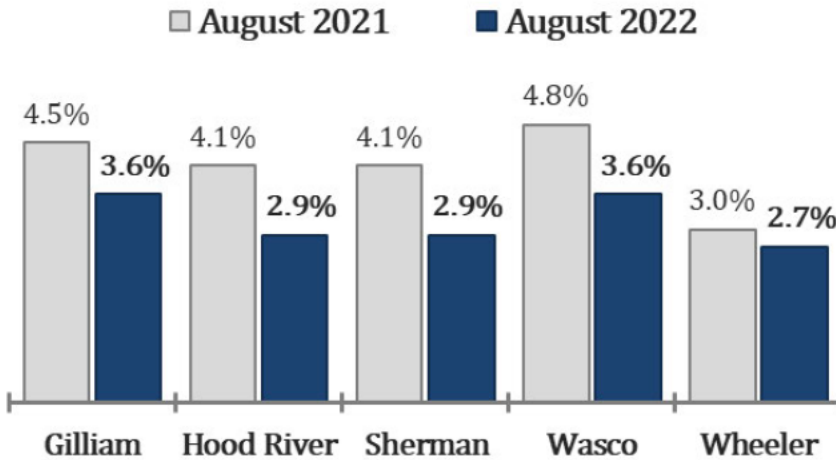


Columbia Gorge Economic Indicators

(August 2022 data)

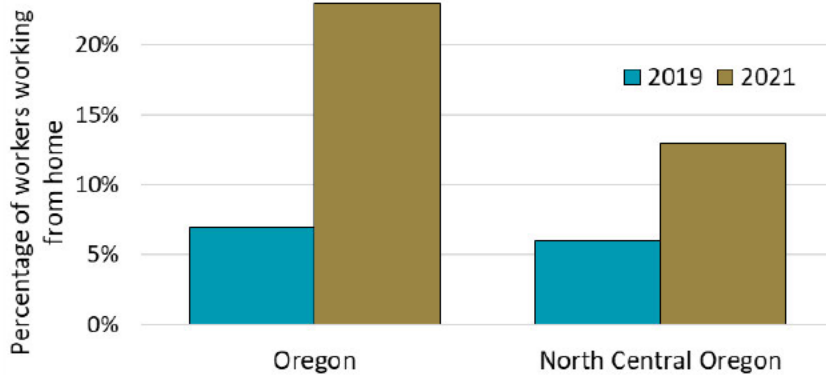
September 2022 Edition

Local Area Unemployment Rates (Seasonally adjusted)



Graph of the Month Share of Workforce Working from Home

Source: American Community Survey 1-Year Estimates Subject Tables



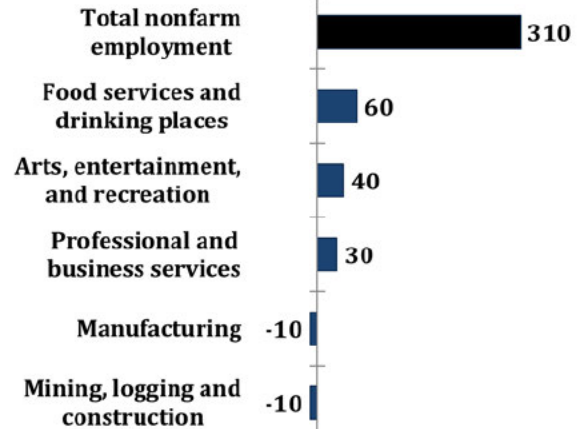
Source: American Community Survey, ACS 1-Year Estimates Subject Tables

The COVID-19 pandemic forced changes to the work environment across Oregon. One way it affected the workforce was the dramatic increase in the share of workers who worked from home (WFH). In Oregon, the share of workers who WFH more than tripled, increasing from 7% in 2019 to 23% in 2021.

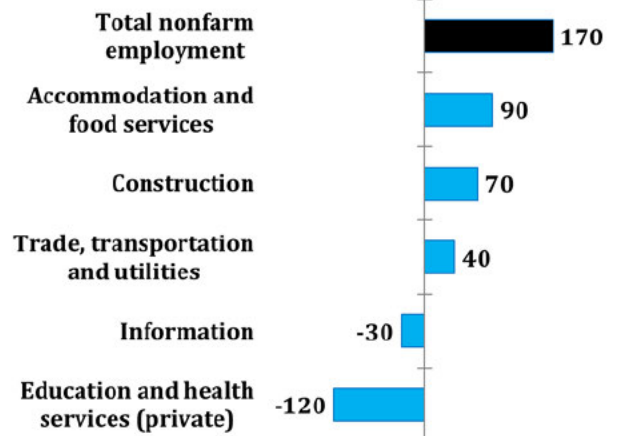
Pre-pandemic, the share of workers in North Central Oregon (Crook, Gilliam, Grant, Hood River, Jefferson, Morrow, Sherman, Wasco, and Wheeler counties) who WFH was similar to workers across Oregon in 2019 at 6%. The share of workers who WFH North Central Oregon lagged comparatively in 2021. However, the share who WFH still increased considerably, more than doubling to 13%.

Select Industry Gains and Losses (Over-the-year net employment change)

Hood River County



Wasco County



Notable Over-the-Year Changes

Gilliam

- Total nonfarm employment (-55)
- Leisure and hospitality (+10)
- Trade, transportation, and utilities (-15)

Sherman

- Total nonfarm employment (25)
- Trade, transportation and utilities (+40)
- Government (-15)

Wheeler

- Total nonfarm employment (+0)
- Leisure and hospitality (+15)
- Local government (-5)

Want to join the distribution list?

Jake Procino Jake.D.Procino@employ.oregon.gov

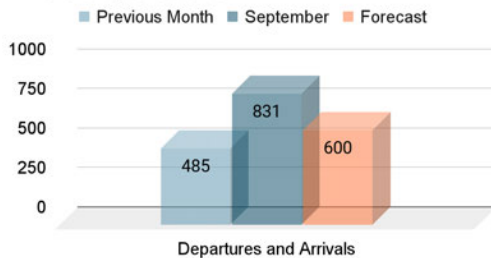
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Airport Activity:

Large spike in operations during September due to the WAAAM fly-in and favorable flying weather. Anticipate a decrease in operations as flight operations return to a more normal pace and fall weather moves in.

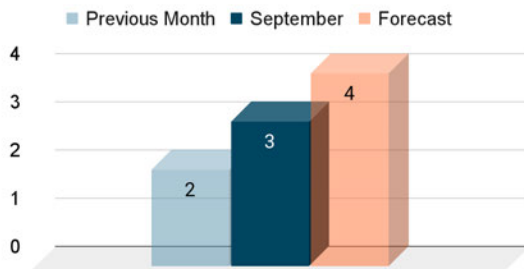
Aircraft Operations



Night Flights:

3 R&D night flights conducted. Anticipate continued R&D flights throughout October. No large night events scheduled.

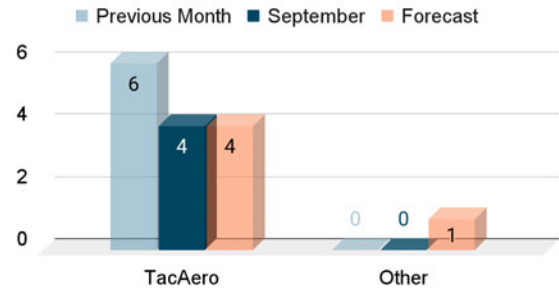
Night Events



Flight Training: 4 training flights were conducted at 4S2 in September. All events were advanced training events. Anticipate approximately 4 training events in November. No courses have been

scheduled at 4S2.

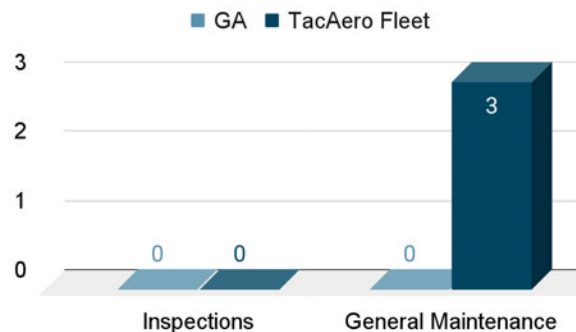
Flight Training Events



Maintenance Activity:

New maintenance technician and apprentice arrived and are on station. No inspections completed in August. General maintenance conducted for fleet aircraft.

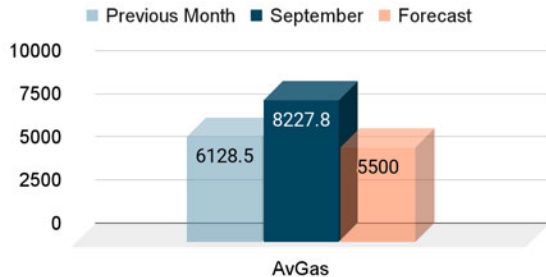
Maintenance Operations



Fuel Sales: Fuel sale spike in September due to the WAAAM fly-in. Majority of fuel sales was from the fuel truck. Anticipate fuel sales slowing down as we enter Fall.



Fuel Sales (Gallons)



Fuel Flowage Fees:

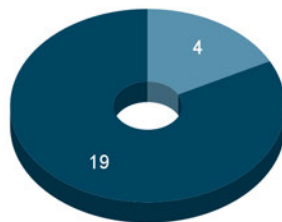
The new fuel tank has been placed at 4S2 and plumbed. Awaiting electrical hookups. When complete and online, the tank will be filled and flowage fees will begin.

Tie Down Activity:

- 23 total spots.
- 83% utilization for August averaged.
- \$515 collected in September.

Tie Down Utilization

- Available Tie Downs
- Rented Tie Downs Long Term



Noise Feedback:

No noise complaints taken by the FBO in September.

Pilot Feedback:

No pilot feedback was supplied to the FBO in September.

Airport Surfaces:

	Condition	Notes.
Rwy 7/25		
Grass Strip		
N. Ramp		
S. Ramp		Bowstring Hangar center doors stuck up. Troubleshoot and found center pole offset, preventing closure. Adjusted and closed on 28 Sept.
S. Gravel		
Taxiways		

Facilities:

	Condition	Notes.
N. Hangars		
S. Hangars		
FBO		
MX Hangar		
Ops Hangar		
Collins Hangar		

Lighting:

- No issues noted with airport

Other:

Commission Memo



Prepared by: Jana Scoggins
Date: October 4, 2022
Re: Authorized check signatories

The Port is governed by ORS 777.405 which requires two signatures on any check or warrant. With the hiring of new Executive Director Kevin Greenwood, new signature cards for the Port bank accounts are needed. Retired Chief Financial Officer, Fred Kowell remains an authorized signatory for operational needs related to the Port's banking and investment accounts that will remain until the hiring of the new Finance Director.

RECOMMENDATION: Approve Resolution No. 2022-23-1 Authorizing Kevin Greenwood, Ben Sheppard, Kristi Chapman, Hoby Streich, Heather Gehring, and Fred Kowell as signatories for Port bank accounts.

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RESOLUTION NO. 2022-23-1

Resolution Approving Check Signing Authorization

WHEREAS, the Port of Hood River Port Commission is authorized under ORS 777.405 to authorize persons to sign and countersign checks on behalf of the Port, now therefore, for all Port of Hood River accounts at Columbia Bank;

BE IT RESOLVED:

1. Three Commissioners of the Port of Hood River, one being the Treasurer; the Executive Director; and a designee are signatories duly authorized to sign checks on the Port’s behalf.
2. The current signors are as follows:
Genevieve Scholl – Deputy Executive Director
Fred Kowell – Chief Financial Officer, Retired
Ben Sheppard – Commission President
Kristi Chapman – Commission Vice President
Heather Gehring – Commission Treasurer
3. By this resolution, the signatory authority of Deputy Executive Director Genevieve Scholl is terminated.
4. By this resolution, the Port authorizes Kevin Greenwood, Executive Director; Fred Kowell, Designee; Ben Sheppard, Commission President; Kristi Chapman, Commission Vice President; and Heather Gehring, Commission Treasurer to act as authorized signatories on the Port’s behalf.
5. This resolution updates any previous resolution authorizing signature authority on checks issued against Port of Hood River bank accounts.

ADOPTED BY THE BOARD OF COMMISSIONERS this 4th day of October, 2022.

Ben Sheppard

Kristi Chapman

Heather Gehring

Hoby Streich

Michael Fox

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Commission Memo



Prepared by: Genevieve Scholl
Date: October 4, 2022
Re: Registered Agent

As a special district, the Port is required to designate a registered agent per Oregon statute ORS 198.340(1). The attached Resolution No. 2022-23-2 names Executive Director Kevin Greenwood as the Port's Registered Agent.

RECOMMENDATION: Approve Resolution No. 2022-23-2 naming Kevin Greenwood, Executive Director, as the Registered Agent of the Port of Hood River.

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RESOLUTION NO. 2022-23-2

Resolution Naming a Registered Agent

WHEREAS, ORS 198.340(1) requires special districts to designate a registered agent upon whom any process, notice or demand required or permitted by law to be served upon the district may be served; and

WHEREAS, ORS 198.340(2) requires a special district to change its registered agent upon filing in the office of the Secretary of State and county clerk a resolution stating: (a) the name of the district; (b) if the address of its registered office is changed, the address to which the registered office is to be changed; (c) if its registered agent is changed, the name of its successor registered agent; (d) that the address of its registered office and the address of the business office of its registered agent, as changed, will be identical; (e) that such change was authorized by resolution duly adopted by the district board; and

WHEREAS, Kevin Greenwood was hired as Executive Director for the Port of Hood River effective October 1, 2022; NOW THEREFORE,

BE IT RESOLVED:

1. The registered agent for the Port of Hood River is Kevin Greenwood, Executive Director.
2. The registered office for the Port of Hood River continues to be located at 1000 E. Port Marina Drive, Hood River, Oregon 97031.
3. Regularly scheduled business meetings are held at the Port of Hood River conference room, 1000 E. Port Marina Drive, Hood River, Oregon 97031.
4. All previous resolutions naming a registered agent for the Port of Hood River are hereby repealed.

ADOPTED BY THE BOARD OF COMMISSIONERS this 4th day of October, 2022.

Ben Sheppard

Kristi Chapman

Heather Gehring

Hoby Streich

Michael Fox

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Commission Memo



Prepared by: John Mann
Date: October 4, 2022
Re: Authorize Intent to Award Hood River Interstate Bridge
Rope Replacement Project

In February of this year, the Port authorized bridge engineers from Wiss, Janey, Elstner Associates to do a second inspection of the haul ropes on the lift span as recommended by HDR Engineering in their maintenance plan. This inspection is recommended to take place every six months after their original findings of a damaged haul rope, to gauge the rate of deterioration. The second inspection results found the same condition as the original inspection with no further deterioration.

An Invitation to Bid for the Wire Ropes Replacement Project was issued on September 1, with a deadline to submit on Oct. 4 at 10:00 a.m. Staff will provide the Bid Tabulation and Contractor information at the meeting.

RECOMMENDATION: Authorize Intent to Award Contract to _____ for Wire Ropes Replacement Project in an Amount Not to Exceed \$_____ and authorize the Executive Director to sign the contract, subject to legal review and barring no protests.

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**Wire Rope Replacement Project
Hood River - White Salmon Interstate Bridge
Hood River County, Oregon**

Issued: August 19, 2022

PORT OF HOOD RIVER

1000 E. PORT MARINA DRIVE
Hood River, Oregon 97031
GENEVIEVE SCHOLL
INTERIM EXECUTIVE DIRECTOR

Consultant: **Wiss, Janney, Elstner Associates Inc**
800 Hyde Park
Doylestown, PA 18902
Telephone:215-340-5830

Owner: **PORT OF HOOD RIVER**
1000 E. Port Marina Drive
Hood River, Oregon 97031
Telephone: (541) 386-1645
Fax: (541) 386-1395
porthr@gorge.net
www.portofhoodriver.com

SCHEDULE

Invitation to Bid Advertised	September 1, 2022
Mandatory Pre-Bid Walk Through	Sept. 14, 2022, 10:00 A.M. PDT
Bids Due	Oct. 4, 2022, 10:00 A.M. PDT
Bid Opening	Oct. 4, 2022, 10:00 A.M. PDT
First-Tier Subcontractor Disclosure Form Due	Oct. 5, 2022, 4:00 P.M. PDT
Notice of Intent to Award Issued	October 6, 2022
Protest Deadline	October 17, 2022
Award of Contract	November 1, 2022
Required Documents Due from Awarded Contractor (Including bonding and insurance)	November 8, 2022

**Wire Rope Replacement Project
Hood River - White Salmon Interstate Bridge**

The Port of Hood River is requesting bids to replace the wire ropes of the lift span of the Hood River-White Salmon Interstate Bridge (“Bridge”). The Bridge includes a through truss vertical lift span. The lift span and associated counterweights are supported by a total of 16 wire ropes (counterweight ropes) with four wire ropes at each corner of the lift span. The wire ropes extend from the lift span terminations, above the roadway, up and over sheaves located at the top of the two lift span towers and terminate at the counterweights.

This project includes the removal, procurement of new components, and replacement of all 16 wire ropes and associated rope clamps, keeper plates, shims, and pins with all work being done during closures to both highway and marine traffic. The work involves closing the roadway (by the Port of Hood River), jacking the counterweights to allow for wire rope removal, removal and proper disposal of the existing wire ropes, replacing the wire ropes with new wire ropes and associated terminations, and tensioning the wire ropes. All work is to be conducted per the requirements of the contract documents.

Beginning September 1, 2022 at 2:00 P.M. PDT a complete solicitation document, including scope of work, sample contract, and design specifications, may be examined or purchased during normal business hours at:

Port of Hood River
1000 E. Port Marina Drive
Hood River, Oregon 97031

There will be a \$35 nonrefundable charge for each printed copy of the solicitation document. The document can also be viewed or printed online at <https://bit.ly/WireRopes>. Plan Holders must subscribe to the project to be notified of any bid addenda by email using the form located on the project web page at: <https://bit.ly/WireRopes>.

There is a mandatory project walk-through for prospective prime contractors at the work area on **September 14, 2022, 10 A.M. PDT**. Contractors that do not have an authorized presentative attending this walk-through will be considered non-responsive.

Bidders are not required to be pre-qualified under ORS 279C.430.

Bids must be addressed to the Port of Hood River with “Hood River Interstate Bridge Wire Rope Replacement Project” on the cover envelope. Bids must be delivered by 10:00 A.M. PDT on October 4, 2022 to the Port office located at 1000 E. Port Marina Drive, Hood River OR 97031. Bids will not be accepted after 10:00 A.M. PDT on October 4, 2022. Bids will be publicly opened in the Port office immediately following the bid deadline.

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Commission Memo



Prepared by: Kevin Greenwood
Date: October 4, 2022
Re: RBMC Advising Contract with Arup

As the BSWG and Port were in the process of selecting HNTB to serve as the Replacement Bridge Management Contractor (RBMC), Arup Inc. was hired to provide an independent cost estimate and evaluation of HNTB's initial cost proposal. HNTB provided guidance to the negotiating committee and help facilitate an understanding of the scope and hours for the baseline work.

With additional funds being obtained and a demand to develop Geotechnical borings, analysis and begin the development of an RFP for design and construction, HNTB will be producing their first amendment to accelerate work. Arup has about \$9k left on their \$50k original contract, and the review of HNTB amendment number 1 will utilize the remaining budget.

As we anticipate additional work packages being developed after amendment number 1, staff is recommending that the Project approve another \$50k contract with Arup to be available to review, analyze and make recommendations to the Owner on future HNTB amendments or additional work orders.

This contract would allow Arup to work in this capacity through the end of June 2023. Only work ordered by the Project Owner to review subsequent amendments will trigger use of budget authority.

As a comparison, during the NEPA process, the Port utilized Otak to provide independent review of WSP's contract amendments.

Both the Oregon and Washington grants will reimburse the Port for advising services.

RECOMMENDED ACTION: Authorize Personal Services Contract for Procurement Advising with Arup US, Inc. in an amount not to exceed \$50,000.

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**Personal Services Contract
For Services Under \$50,000**

1. This Contract is entered into between the Port of Hood River ("Port") and Arup US, Inc. ("Contractor"). Contractor agrees to perform the Scope of Work described in attached Exhibit A to Port's satisfaction for a maximum consideration not to exceed \$ 50,000. Port shall pay Contractor in accordance with the schedule and/or requirements in attached Exhibit A.
2. This Contract shall be in effect from the date at which every party has signed this Contract through June 30, 2023. Either Contractor or Port may terminate this Contract in the event of a breach of the Contract by the other. Port may terminate this Contract for any reason by giving 15 days written notice to Contractor at Contractor's address listed below. If Port terminates this Contract, Contractor shall only receive compensation for work done and expenses paid by Contractor prior to the Contract termination date.
3. All work products of the Contract, which result from this Contract, are the exclusive property of Port. Port shall have access to all books, documents, papers and records of Contractor which relate to this Contract for purpose of making audit, examination, excerpts, and transcripts for a period of three years after final payment.
4. Contractor will apply that skill and knowledge with care and diligence to perform the work in a professional manner and in accordance with standards prevalent in Contractor's industry, trade or profession. Contractor will, at all times during the term of the Contract, be qualified, professionally competent, and duly licensed to perform the work.
5. Contractor certifies that Contractor is an Independent Contractor as defined in ORS 670.600 and shall be entitled to no compensation other than that stated above.
6. Contractor shall indemnify, save, and hold harmless Port, its Commissioners, officers, agents, and employees from all claims, suits, or actions of whatsoever nature resulting from or arising out of the negligent activities or wrongful misconduct of Contractor or its subcontractors, agents or employees under this Contract. Contractor shall provide insurance in accordance with attached Exhibit B.
7. This Contract may be executed in any number of counterparts, and any single counterpart or set of counterparts signed, in either case, by all parties hereto shall constitute a full and original instrument, but all of which shall together constitute one and the same instrument.
8. This Contract shall be governed by the laws of the State of Oregon and any litigation involving any question arising under this Contract must be brought in the Circuit Court in Hood River County, Oregon. If any provision of this Contract is found to be illegal or unenforceable, this Contract shall remain in full force and effect and the provision shall be stricken.
9. Contractor shall adhere to all applicable federal, state, and local laws and regulations, including those governing its relationship with its employees.
10. This Contract contains the entire agreement between Contractor and Port and supersedes all prior written or oral discussions or agreements. Any modification to this Contract shall be reduced to writing and signed by the Contractor and Port. Contractor shall not assign this Contract or subcontract its work under this Contract without the prior written approval of Port.
11. To the fullest extent permitted by law, Port and Consultant each waive any right to consequential, liquidated or incidental damages and agree that the total liability, in the aggregate, of Consultant shall not exceed \$150,000.
12. The person signing below on behalf of Contractor warrants they have authority to sign for and bind Contractor.

Contractor: Arup US, Inc.

Port of Hood River

Signed: _____
 Title: Matt Carter, Principle
 Date: March 31, 2022
 Address: 77 Water St
 New York, NY 10583
 Phone/Email: (917) 565-7297
 matt.carter@arup.com

Signed: _____
 Title: Executive Director
 Date:
 Address: 1000 E. Port Marina Drive, Hood River,
 OR 97031
 Phone/Email: (541) 386-1645 porthr@gorge.net

**Personal Services Contract
Exhibit A**

I. SCOPE OF WORK:

Provide services for Port of Hood River for use in informing the technical evaluation of amendments to the Project Management and Owners' Representation Service ("PM/OR") contract for the replacement of the Hood River-White Salmon Bridge.

Scope, hours, and deliverables of tasks will be agreed upon the initiation of Port of Hood River. Task scope may include, but are not limited to, the following:

- Review and analyze level of effort proposed in PM/OR contract amendments for use by the Port of Hood River in negotiations.
- Consult on risks and provide objective technical evaluation.
- Provide independent cost/hours build-up
- Attend negotiation meetings and provide technical insight

Port and Consultant mutually recognize that this Contract is not intended to create a conflict of interest that would preclude the Consultant from being on a team selected for future contracts associated with the Project.

II. DELIVERABLES AND TIMEFRAME:

The deliverable(s) covered under this Contract shall be:

Delivery format (ie Memo, markup, email response, etc.) and response time to be agreed per request.

All deliverables shall be in electronic format and shall comprise both PDF and native files.

III. CONSIDERATION:

Hourly rates under this Contract shall be on a time and materials basis utilizing the hourly rates tabulated below

Title	Hourly Billing Rate (USD)
Principals	\$410
Associate Principals	\$291
Associates	\$255
Senior Engineers / Senior Consultants	\$235
Engineers / Consultants	\$155
Administrator	\$120

Reimbursables under this Contract shall be billed at expense plus 5% and are not included in the "maximum consideration" amount. Anticipated expenses include in-person visits to the Port of Hood River's direction; not to exceed \$2500.

IV. BILLING AND PAYMENT PROCEDURE:

The Contractor shall submit to the Port for payment an itemized invoice in a form and in sufficient detail to determine the work performed for the amount requested. The invoice shall contain at a minimum:

- Invoice date
- Contract project title
- Record of hours worked and a brief description of activities
- Billing rate applied
- Description of reimbursable items

Invoices may be submitted monthly.

The Port shall process payment in its normal course and manner for Accounts Payable, net 30 days.

**Personal Services Contract
Exhibit B**

INSURANCE

Contractors, please send this to your insurance agent immediately.

During the term of this Contract, Contractor shall maintain in force at its own expense, each insurance noted below:

- 1. Workers' Compensation insurance in compliance with ORS 656.017, which requires subject employers to provide Oregon workers' compensation coverage for all their subject workers. (Required of contractors with one or more employees, unless exempt order ORS 656.027.)

Required and attached OR Contractor is exempt

Certified by Contractor: _____
Signature/Title

- 2. Commercial General Liability insurance on an occurrence basis with a limit of not less than \$1,000,000 each occurrence for bodily injury and property damage and \$2,000,000 general aggregate. The Liability Insurance coverage shall provide contractual liability. The coverage shall name the Port of Hood River and each of its Commissioners, officers, agents, and employees as Additional Insured with respect to the Contractor's services to be provided under the Contract.

Required and attached Waived by Finance Manager _____

- 3. Automobile Liability insurance with a combined single limit of not less than \$1,000,000 each occurrence for bodily injury and property damage, including coverage for owned, hired, or non-owned vehicles, as applicable.

Required and attached Waived by Finance Manager _____

- 4. Professional Liability insurance with a \$1,000,000 per claim and \$1,000,000 in the aggregate for malpractice or errors and omissions coverage against liability for personal injury, death or damage of property, including loss of use thereof, arising from the firm's acts, errors or omissions in any way related to this Contract.

Required and attached Waived by Finance Manager _____

- 5. **Certificate of Insurance.** As evidence of the insurance coverage required by this Contract, the Contractor shall furnish acceptable insurance certificates to the Port as soon as practicable after the Contractor returns the signed Contract.

The General Liability certificate shall provide that the Port, its Commissioners, officers, agents, and employees are Additional Insured but only with respect to the Contractor's services to be provided under this Contract.

Endorsement CG 20 10 11 85 or its equivalent must be attached to the Certificate. The Certificate must contain a standard 30-day notice of cancellation clause which guarantees notification in writing to the Certificate Holder (Port of Hood River). Insuring companies or entities are subject to Port acceptance. If requested, complete copies of the insurance policy shall be provided to the Port. The Contractor shall be financially responsible for all pertinent deductibles, self-insured retentions, and/or self-insurance.