

PORT OF HOOD RIVER COMMISSION
Thursday, March 10, 2016
Marina Center Boardroom
5:00 p.m.

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
 - a. Approve Minutes of February 16, 2016 Regular Session and February 24, 2016 Special Session ([Laurie – Page 3](#))
 - b. Approve License for Anchor Way Utility Placement for Hood River Electric Cooperative ([Anne – Page 11](#))
 - c. Approve Accounts Payable to Jaques Sharp in the Amount of \$7,435 ([Fred – Page 23](#))
 4. Reports, Presentations and Discussion Items
 - a. Airport Master Plan Update – Dave Miller and Matt Rogers, Century West Engineering ([Fred – Page 29](#))
 - b. Connect VI Grant Application Update ([Michael – Page 31](#))
 - c. FAST Act Next Steps ([Michael – Page 33](#))
 - d. Waterfront Parking Plan ([Michael – Page 35](#))
 - e. Naito Hotel Trail Connection to Pedestrian Bridge Proposed Final Design ([Michael – Page 39](#))
 - f. Lower Mill Redevelopment, Crystal Springs Water District Off-Site Requirements ([Anne – Page 43](#))
 5. Director’s Report ([Michael – Page 45](#))
 6. Commissioner, Committee Reports
 - a. Marina Ad-hoc Committee (February 25)
 7. Action Items
 - a. Authorize contract with Berger Abam for Planning Services for Lot #1 Preliminary Subdivision not to exceed \$21,999 plus Reasonable Reimbursable Expenses ([Michael – Page 53](#))
 - b. Approve contract with Terra Surveying for Surveying Services for Lot #1 Preliminary Subdivision not to exceed \$5,500 plus Reasonable Reimbursable Expenses ([Michael – Page 55](#))
 - c. Approve contract with Martin Schott & Associates for Wetland Delineation Services not to exceed \$5,860 ([Anne – Page 59](#))
 8. Commission Call
-
9. Executive Session under ORS 192.660(2)(e) Real Estate Negotiations and ORS 192.660(2)(h) Legal Counsel
 10. Possible Action
 11. Adjourn

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

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

**Port of Hood River Commission
 Meeting Minutes of February 16, 2016 Regular Session
 Marina Center Boardroom
 5:00 P.M.**

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

Present: Commissioners Jon Davies, Fred Duckwall, Brian Shortt, and Hoby Streich; Legal Counsel Jerry Jaques; from staff, Michael McElwee, Fred Kowell, Anne Medenbach, Genevieve Scholl, Liz Whitmore, and Laurie Borton

Absent: Commissioner Rich McBride

Media: Patrick Mulvihill, Hood River News

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

a) Modifications, Additions to Agenda: Per staff, under Action Item C, a revised Task Order No. 7 was provided for an approval amount of \$25,979; Action Item D was noted as ratification; and the correct resolution number for Action Item E was provided with the comment that a word was inserted for continuity purposes.

2. PUBLIC COMMENT: None.

3. CONSENT AGENDA:

- Approve minutes of January 26, 2016 Regular Session
- Ratify Amendment No. 3 with Key Development at Expo Building
- Approve Appointment of Judy Newman to the Budget Committee to Fill Term Expiring June 30, 2018
- Approve Amendment No. 2 with Hitch Source at Maritime Building

Motion: Move to approve Consent Agenda.

Move: Duckwall

Second: Davies

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

Absent: McBride

MOTION CARRIED

4. Reports, Presentations and Discussion Items:

a. Audit Review – Tara Kamp, Pauly Rogers and Co., P.C.: Kamp reviewed the *Communication to the Governing Body for the Year Ended June 30, 2015* that summarized the following audit results-- an unmodified opinion on the basic financial statements was issued, which means Pauly Rogers has given a “clean” opinion with no reservations; no exceptions or issues requiring comments were found; and a management letter was not required to be issued. Kamp thanked Chief Financial Officer Fred Kowell and his staff for their preparation of audit materials and availability which resulted in Pauly Rogers encountering no difficulties in performing and completing the audit. Kowell reported the Port continues to grow financially and fiscal year ended June 30, 2015 was a financially sound year.

5. EXECUTIVE SESSION: The Commission was called into Executive Session at 5:12 p.m. under ORS 192.660(2)(h) Legal Counsel Regarding Current Litigation or Litigation Likely to Be Filed. Commissioner Davies stated a conflict of interest and excused himself from the Boardroom for the discussion. Davies

rejoined the meeting when the Commission was called back into Regular Session at 6:00 p.m. No action was taken as a result of Executive Session.

6. Reports, Presentations and Discussion Items:

a. Toll System Update: Kowell reported that P-Square Solutions is replacing the Windows XP platform with Windows 7. Live lane activity will be tested in early March by running parallel data; and Phase 2 tasks related to business rules are underway to identify whether or not changes will be needed. Kowell reported the system will be able to use multiple discounts tied to a class of vehicle so these policy issues will be reviewed. At P-Square's March visit they will also review in detail the operations at the tollbooth and front office.

b. Lower Mill Utilities Update: Anne Medenbach, Development & Property Manager, provided information for both on-site and off-site utilities costs. There have been ongoing discussions with Crystal Springs Water District regarding improvements and costs that would be sufficient to provide domestic and manufacturing water to the site along with pressures needed to meet fire flow requirements for maximum build out for both the Port and the industrial park. Medenbach reported there is a dispute regarding ORS interpretations and the Water District has requested that staff work with legal counsel to prepare a position paper regarding ORS interpretations and potential options for the work. Additional updates will be provided at a later date.

7. DIRECTOR'S REPORT: McElwee provided the following highlights: a joint meeting with the Port of the Dalles Commission has been noticed for February 24. This meeting will provide an opportunity for the two Commissions to meet and discuss common issues. The Spring Planning work session (with regular session to follow) is scheduled for March 29. For the first meeting in March the Commission was asked about their availability for a regular session on Thursday, March 10, which would replace the March 8 meeting so that a full complement of Commissioners could attend. It is expected that language in SB 1510 legislation regarding adding the Oregon portion of a future bridge as part of SR-35 will be removed; however, ODOT has affirmed their commitment to seek NHS designation through administrative versus legislative means. The OneGorge "Gorge(ous) Night Out" legislative receptions held in Salem and Olympia were well attended and helped raise awareness of regional issues and priorities. Genevieve Scholl, Communications & Special Projects Manager was thanked for these efforts. Staff is working with PacifiCorp to remove the live-front cabinet and direct burial power lines on the Marina Green; the project will be funded jointly. Due to changes in other regional projects, the South Taxiway and North Ramp projects have been moved up on FAA's slot for funding. Century West will be starting on a scope of work for planning/design in order for the Port to file for funding before the end of May. A planning process to identify key, regional transportation projects ("Connect Mid-Columbia") has been initiated by MCEDD. McElwee noted there has been some disagreement among local entities as to the role the Columbia Gorge Commission should play in this effort. McElwee reported he had testified to the Gorge Commission that they should take a role due to the inclusion of the NSA in the FAST Act.

8. COMMISSIONER, COMMITTEE REPORTS:

a. Marina Ad-hoc: McElwee reported there was good discussion at the January 21 meeting regarding proposed changes to the Marina Rules & Regulations and South Basin Dock (SBD) management alternatives. SBD discussions will continue.

b. Airport Advisory Committee: Commissioner Duckwall reported on the January 27 meeting in which the master plan was discussed.

c. SDAO Annual Conference: Commissioner Davies, McElwee and Kowell attended the Feb. 4-6 conference. All reported that, in general, there were good sessions and networking opportunities.

d. Urban Renewal Agency: At the February 8 meeting, Davies and Streich reported there was an audit review by Tara Kamp of Pauly Rogers & Co., P.C.; and discussions on the Heights, and roadblocks to affordable/attainable housing (in or annexed in the Urban Growth Boundary).

9. ACTION ITEMS:

a. Approve Audit for Fiscal Year Ending June 30, 2015:

Motion: Move to approve Audit for Fiscal Year Ending June 30, 2015.

Move: Duckwall

Second: Streich

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

Absent: McBride

MOTION CARRIED

b. Approve Contract with Emery & Sons Construction Group for Hook Waterfront Trail Amenities Not to Exceed \$75,024: Liz Whitmore, Waterfront Coordinator, solicited three quotes for a scope of work that includes construction of a synthetic turf rigging area, stone seat wall, timber vehicle bollards, and solar light bollards lining the asphalt path the City of Hood River will be paving. The low bid was submitted by the contractor who is currently on site as the City’s contractor for the outfall project. Funding for the project includes a \$25,895 grant from Oregon Parks and Recreation Department and a \$20,000 contribution from Hood River Valley Parks and Recreation. The Port has budgeted \$50,000 for project.

Motion: Move to authorize contract with Emery & Sons Construction Group for the Hook Waterfront Trail Amenities Project in the amount of \$75,024.00, subject to legal counsel review.

Move: Streich

Second: Duckwall

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

Absent: McBride

MOTION CARRIED

c. Approve Task Order No. 7 with HDR Engineering for Skew Adjustor Assessment and Repair: This Task Order describes the work scope and fee to evaluate the skew adjustors of the lift span. These devices indicate if the lift span is out of balance when being raised. Work under this Task Order will focus on evaluating existing skew control monitors and wiring to determine operability and clarify procedures for the operator to follow when the span is raised.

Motion: Move to approve Task Order No. 7 to the Master Engineering Contract with HDR Engineering, Inc. for evaluation of skew adjustors not to exceed \$25,979 plus reasonable reimbursable expenses.

Move: Duckwall

Second: Davies

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

Absent: McBride

MOTION CARRIED

d. Approve Ratify Contract with Advanced American Construction, Inc. for Span Guide Repair Not to Exceed \$62,000: A contract in the amount of \$53,000 was approved at the December 15, 2015 meeting with Advanced American Construction for span guide repair. New quotes were obtained in order to receive more complete specifications and request the installation be carried out at night to limit impacts to bridge traffic. One bid for \$52,670 was received; however, it was the opinion of staff that the contractor missed details and was not aware of the required night work. As a result the most responsive and best value for the Port was quoted by Advanced American Construction. HDR will be covering cost of the engineering associated with the span guides and reimburse the Port for half of the materials, fabrication, delivery and installation except for the roller addition.

Motion: Move to ratify contract with Advanced American Construction, Inc. for fabrication and installation of two Lift Span Guides not to exceed \$62,000.

Move: Davies

Second: Streich

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

Absent: McBride

MOTION CARRIED

e. Approve Resolution Adopting Diversity Hiring Policy: McElwee reported the proposed Diversity Policy does not establish specific hiring goals and it is not intended to discriminate with respect to employment opportunities for any qualified applicant. A clear Diversity Policy can achieve greater results in the future and align our workforce with the diversity of the community we serve.

Motion: Move to approve Resolution No. 2015-16-5 adopting Diversity Hiring Policy.

Move: Duckwall

Second: Davies

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

Absent: McBride

MOTION CARRIED

10. COMMISSION CALL: Streich inquired about the status of a dog park as he had heard there was discussion about the ODOT yard on Cascade moving to the waterfront west of the wastewater treatment plant and the dog park going to the ODOT location. Medenbach responded that discussion is now off the table and a waterfront dog park conversation may come back to the Port. Streich also inquired if use of Survey Monkey could be used for Port business. Legal Counsel Jerry Jaques responded that if any deliberation leads to a decision then no, Survey Monkey would not be an appropriate use. Davies informed the Commission that Columbia River Insurance would be hosting SDAO Board Training in Hood River on April 4 and the same training would also be offered in The Dalles on April 5. Shortt thanked Kowell for a clean audit; he also asked for an update on housing issues, and he inquired if restrooms could remain open year-round (versus use of portables in the winter) if parking meters are placed on the waterfront.

11. EXECUTIVE SESSION: The Commission was again called into Executive Session at 7:13 p.m. under ORS 192.660(2)(e) Real Estate and ORS 192.660(2)(h) Legal Counsel. The Commission was called back into Regular Session at 7:28 p.m.

12. POSSIBLE ACTION: No action was taken as a result of Executive Session.

13. ADJOURN: At 7:28 p.m. President Shortt entertained a motion to adjourn the meeting.

Motion: Move to adjourn

Move: Davies

Second: Duckwall

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

Absent: McBride

MOTION CARRIED

Respectfully submitted,

Laurie Borton

ATTEST:

Brian Shortt, President, Port Commission

Jon Davies, Secretary, Port Commission

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**Port of Hood River Commission
Meeting Minutes of February 24, 2016 Joint Meeting with Port of The Dalles Commission
Marina Center Boardroom
12:00 P.M.**

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

- Present:**
 - Port of Hood River:** Commissioners Fred Duckwall, Rich McBride, and Brian Shortt. From staff, Michael McElwee, Fred Kowell, Anne Medenbach, and Genevieve Scholl.
 - Port of The Dalles:** Commissioners David Griffith, Bob McFadden, and Greg Weast. From staff, Andrea Klaas.
- Absent:**
 - Port of Hood River:** Commissioners Jon Davies and Hoby Streich; and Legal Counsel Jerry Jaques.
 - Port of The Dalles:** Commissioners Mike Courtney and Kristi McCavic; and Legal Counsel Bill Dick.
- Media:** None

CALL TO ORDER: President Bob McFadden called the meeting for the Port of The Dalles Commission to order at 12:13 p.m. President Brian Shortt then called the meeting for the Port of Hood River Commission to order at 12:14 p.m. The purpose of this work session was to get acquainted and discuss potential collaborative efforts to expand the economic zone we live in and bring more jobs to the Gorge. Shortt commented that he would like to see these joint meetings continue and invite other Ports to the table. No action will be taken as a result of the work session.

Introductions: Self introductions were made.

Port Overview and Key Issues: Executive Directors Andrea Klaas and Michael McElwee provided an overview of their respective Port districts and discussed common key issues. Klaas shared a PowerPoint presentation discussing Port history, urban growth boundary, Columbia Industrial Park, and other assets. She also discussed The Dalles Community Outreach Team comprised of the Port, City, County, Public Utility District, and the School District. McElwee’s discussion focused on the Hood River Bridge and the Port work and replacement plan going forward.

Commission Discussion/Key Issues: Issues of common interest to both Commissions included discussions on transportation planning; urban growth boundary review; Gorge Commission advocacy; the regional FAST Act; marina consolidation; and OneGorge recruiting. Shortt recommended periodic meetings for all Port district presidents and periodic Gorge-wide joint meetings of the full Commission bodies.

Adjourn: At 2:00 p.m. Presidents McFadden and Shortt adjourned the Special Meeting. No action was taken as a result of this joint work session Special Meeting

Respectfully submitted,

Laurie Borton

ATTEST:

Brian Shortt, President, Port Commission

Jon Davies, Secretary, Port Commission

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Commission Memo



Prepared by: Anne Medenbach
Date: March 10, 2016
Re: Hood River Electric Cooperative License

Hood River Electric Cooperative (HREC) would like to extend their fiber on the waterfront. A diagram of the proposed route is attached. HREC would like to supply fiber to their clients and has provided us with a draft license and easement. The license and easement would be approved now by the Commission with the easement conveyed once the Port has final as built drawings of the location of the fiber.

HREC will be held to the same standard that GorgeNet was for a similar but larger project on the waterfront last year.

RECOMMENDATION: Approve license for Anchor Way Utility Placement for Hood River Electric Cooperative, subject to legal counsel review.

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LICENSE

GRANTOR: Port of Hood River, an Oregon municipal corporation (“Port”)

GRANTEE: Hood River Electric Cooperative or its agents or assigns (“CONTRACTOR”)

SCOPE OF LICENSE: CONTRACTOR may install underground conduit and fiber optic lines and related necessary appurtenances that transmit information on Port along the route illustrated in Appendix A. CONTRACTOR shall strive to minimize the impact of the installation on road and landscapes by boring the conduit wherever possible. Where trenching is necessary, CONTRACTOR shall properly compact and patch with landscape that matches the original landscape, and where appropriate, restore asphalt to a least four inches depth and level with the existing asphalt. CONTRACTOR shall take before and after pictures of the route that illustrate that the installation had minimum impact on Port property.

PURPOSE: The purpose of this license is to allow CONTRACTOR to install conduit and fiber optic line on Port property. After installation, the Port will grant to CONTRACTOR a mutually satisfactory utility easement for the actual location of the conduit and line.

EFFECTIVE DATE: Date signed by Executive Director.

EXPIRATION DATE: One year after Effective Date.

THE PORT OF HOOD RIVER, a municipal corporation of the State of Oregon

By: _____

Date: _____

Michael S. McElwee, Executive Director

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AFTER RECORDING RETURN TO:
 JAQUES, SHARP, SHERRERD, FITZSIMONS & OSTRYE
 Attorneys at Law
 205 3rd Street
 Hood River, OR 97031

UNTIL A CHANGE IS REQUESTED
 MAIL ALL TAX STATEMENTS TO:
 No Change

Tax Account No:

True and Actual Consideration: None

UTILITY EASEMENT

This agreement made this __ day of ___, 2016, between **Port of Hood River**, a municipal corporation of the State of Oregon, hereinafter Port, as grantor of the easement, and **Hood River Electric Cooperative.**, an Oregon corporation, and **Communication Access Cooperative Holdings Enterprise, Oregon** corporation, as grantees of the easement, hereinafter collectively referred to as CONTRACTOR.

1. Port hereby grants and conveys to CONTRACTOR a non-exclusive easement for installation and maintenance of underground conduit (for fiber optics lines) and related appurtenances to transmit information. The lines will be installed at least 30 inches underground. The easement will be three feet in width, be located on the Port Property legally described in Appendix A, and follow the path outlined in Appendix A. CONTRACTOR will provide Port with as-built drawings accurate to within twelve inches within fourteen days of the installation of the lines. The as-built location shown on the drawing will become the center line of the easement.

2. CONTRACTOR will coordinate the installation of its lines with other wired utility companies providing service in the City of Hood River.

3. CONTRACTOR may enter the easement to inspect and make repairs, changes, alterations, and improvements to the conduit and its lines in the future provided that after any future work in the easement area the ground surface will be restored to its condition prior to the commencement of the work, including repaving and patching asphalt.

4. The majority of the conduit will be bored so that the impact to roads and landscape is minimized. For trenched areas, the utility trench will be compacted and patched with landscape to match the original landscape or new asphalt at least four inches in depth and level with the existing asphalt surface.

1 -- Utility Easement

5. All work by CONTRACTOR in the easement area will be performed by CONTRACTOR or its contractor at CONTRACTOR's expense. All such work will be performed in a prompt and workmanlike manner with all reasonable efforts made to minimize disruption in use of the parking lot and property. To the extent possible work will be performed on weekends or before or after normal business hours. All construction will be performed by entities that are licensed and bonded in the state of Oregon.

6. This easement is granted subject to all prior easements, rights and encumbrances of record, provided however, Port represents that the easement area is free and clear of all monetary encumbrances and other easements which would interfere with CONTRACTOR's ability to utilize the easement area for the intended purpose.

7. This agreement shall be binding upon the parties, their respective successors and assigns. If the Port determines that CONTRACTOR, or an assignee or successor of CONTRACTOR, has used the fiber optic line in the easement area to transmit information but has abandoned that use, or will likely not utilize the fiber optic line in the easement area to transmit information in the future, the Port may terminate all rights of CONTRACTOR and its assignees or successors granted by this utility easement ("Abandonment Determination"). Before making an Abandonment Determination, the Port will contact CONTRACTOR, or if an assignment of CONTRACTOR's interest has been recorded with Hood River County deed records, will contact CONTRACTOR's assignee, and will provide not less than sixty days written notice of the Port's intent to make an Abandonment Determination prior to making an Abandonment Determination. If CONTRACTOR has given the Port notice of an unrecorded assignment of CONTRACTOR's interest, the Port will give a similar sixty day notice to the assignee made known to the Port by CONTRACTOR. In any event, the Port may make an Abandonment Determination in the Port's sole discretion. If the Port makes an Abandonment Determination the Port may remove or destroy the fiber optic cable in the easement area, and all rights of CONTRACTOR or its successors and assigns granted under this utility easement shall be extinguished. An Abandonment Determination by the Port shall be final. No party affected by the Abandonment Determination or actions taken by the Port after an Abandonment Determination shall have any claim for damages, or any other recourse. The Port may record a document describing its Abandonment Determination in Hood River County, Oregon deed records, as notice of termination of this Easement Agreement and vacation of the easement rights granted hereby.

8. This easement is transferable upon approval of both parties. The transfer will not be unreasonably withheld.

9. Failure at any time to require performance of any provision of this agreement shall not limit a party's right to enforce the provision. Any waiver of any breach of any provision shall not be a waiver of any succeeding breach or a waiver of any provision of this agreement.

10. CONTRACTOR agrees to indemnify and hold Port harmless from any damage caused to any improvement on the Port property by the installation and/or maintenance of the lines, and from any injury or damage to persons or property arising out of CONTRACTOR's

2 -- Utility Easement

work in or around the easement area or from CONTRACTOR's exercise of its rights under this agreement.

11. In any litigation arising under this easement, the prevailing party shall recover from the losing party reasonable attorney fees as determined by the Court.

12. Port may, upon no less than sixty days written notice to CONTRACTOR, require relocation of the conduit, fiber optics lines and of the easement. CONTRACTOR agrees to move the lines to another location on the property at Port's request and at Port's expense, which will include preparation of a revised legal description and drawing for this easement.

DATED on the year and date first written above.

Port of Hood River

CONTRACTOR

By: _____

Michael McElwee, Executive Director

By: _____

Title: _____

STATE OF OREGON)

) ss.

County of Hood River)

This instrument was acknowledged on _____, 2016, by Michael McElwee, Executive Director of the Port of Hood River, a municipal corporation, who acknowledged due execution of the foregoing instrument on behalf of the port of Hood River.

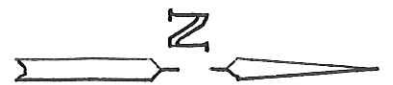
Notary Public for Oregon
My commission expires: _____

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Proposed HREC Fiber in 2" Sch 40 conduit is Red.

Exhibit "A"





JOHN GERSTENBERGER, Manager

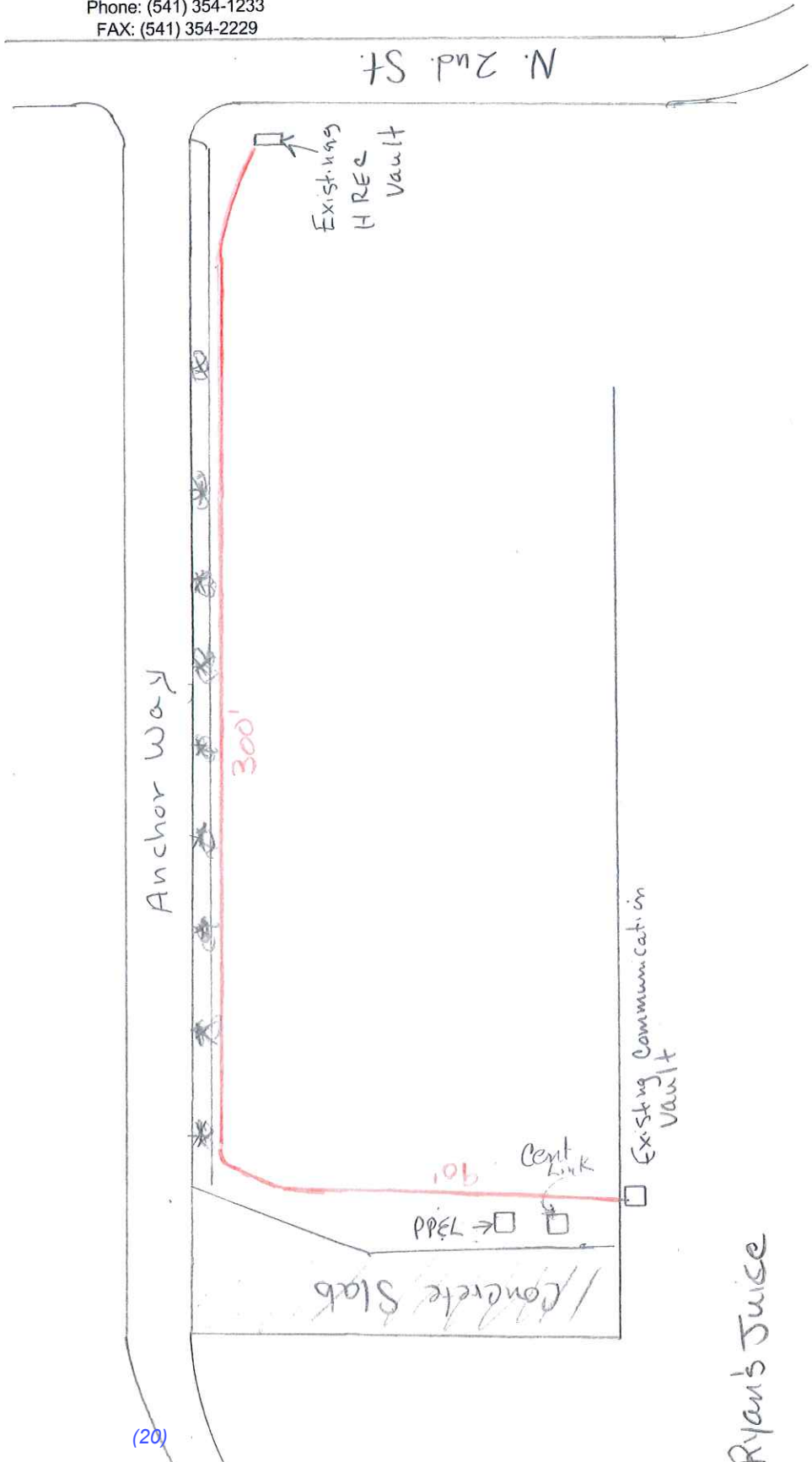
DIRECTORS

- BUTCH GEHRIG, President
- PATRICK MOORE, Vice-President
- BERNIE WELLS, Secretary
- ROGER NELSON, Treasurer
- DOUG MAHURIN
- GARY BLOOM
- JOHN MCGHEE
- OPAL DEBOARD
- DICK SOHLER

Locally Owned And Operated
 Post Office Box 125 Odell, Oregon 97044-0125
 Phone: (541) 354-1233
 FAX: (541) 354-2229

Amedenbach @ Part of hood river, Com

Proposed 2" Conduit installed 30" Deep
 300' West from existing HREC
 Communication Vault then turns
 South for 90' to Existing Ryan's
 Juice Communication distribution Vault

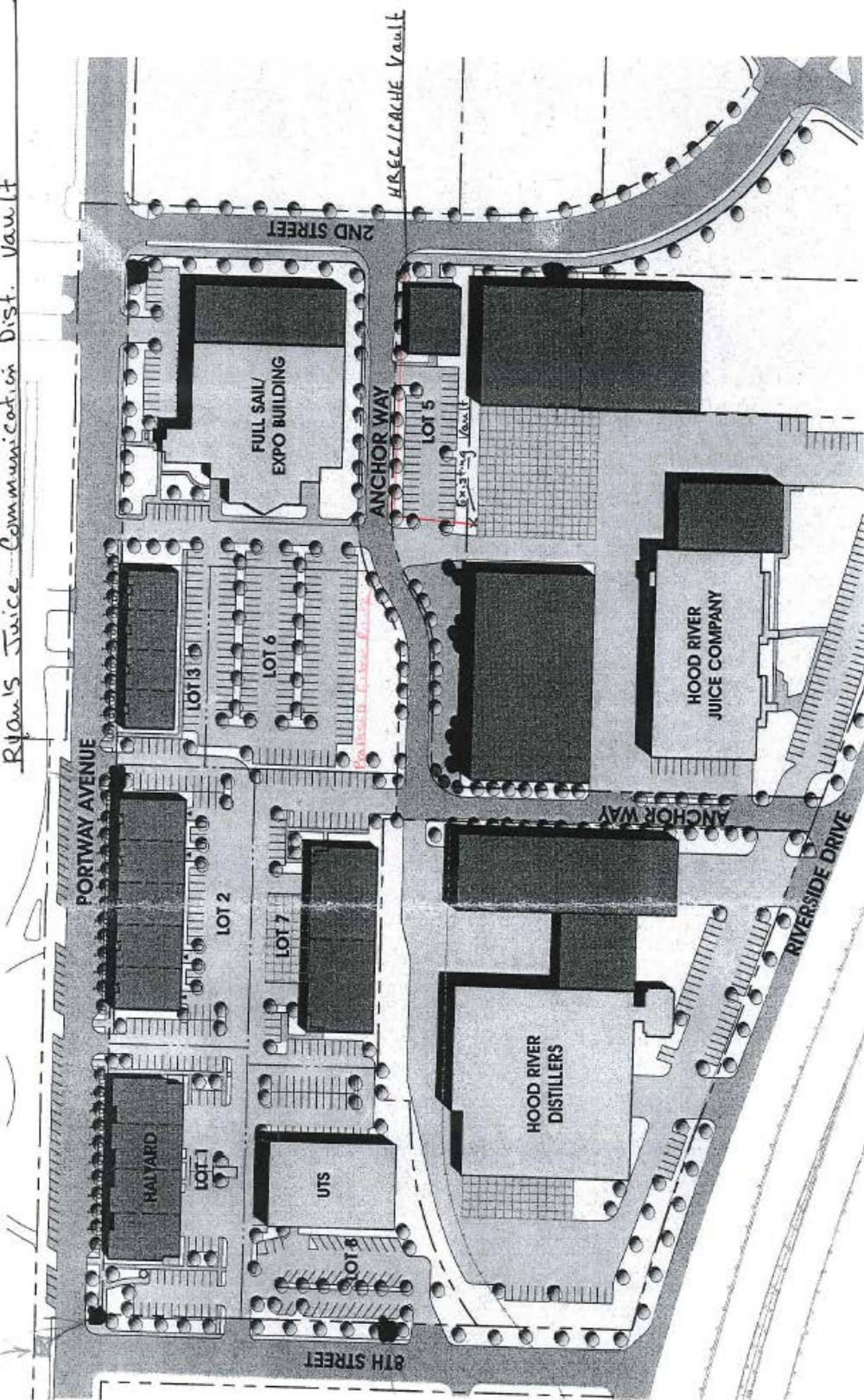


Ryan's Juice

Port of Hood River

Utility License

Proposed 2" Conduit Installed 30" Deep 300' West From Existing HREC/CACHE Vault thru South 90' to existing Ryan's Juice Communication Dist. Vault

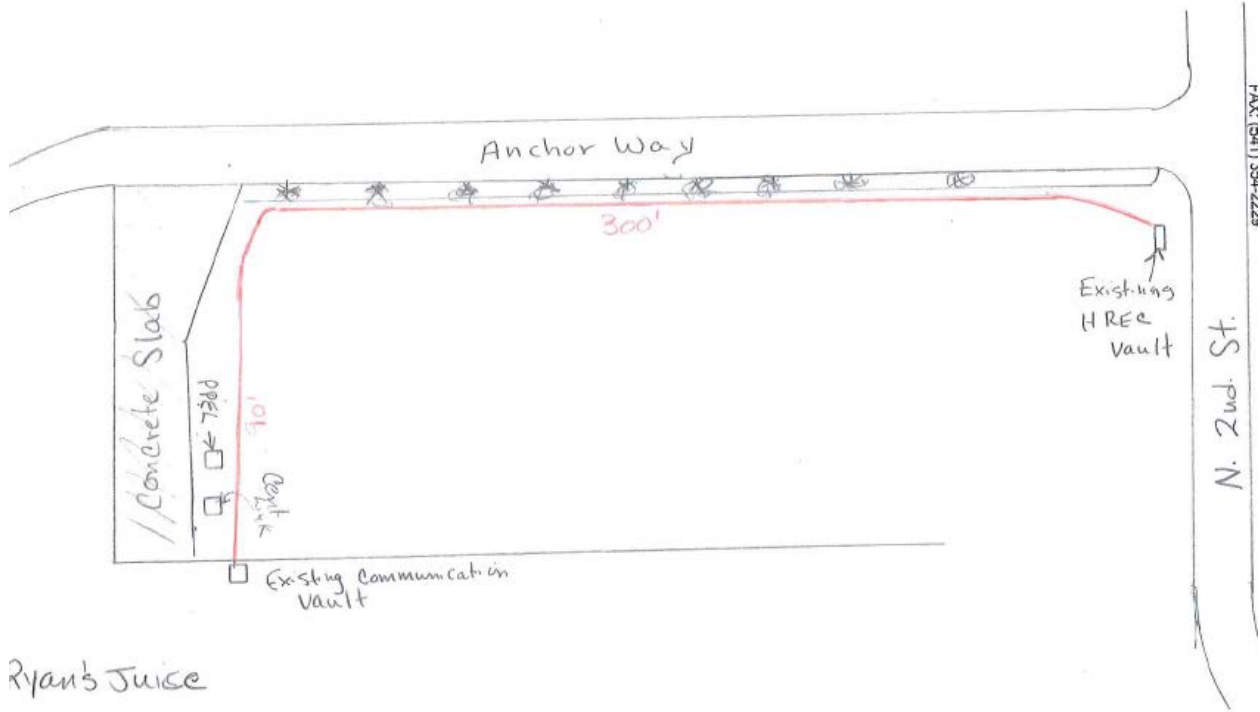


Waterfront Business Park

Port of Hood River

MACKENZIE

2060406.04



Ryan's Juice

DRY

Commission Memo



Prepared by: Fred Kowell
Date: March 10, 2016
Re: Accounts Payable Requiring Commission Approval

Jaques Sharp	\$7,435.00
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Attorney services per attached summary

TOTAL ACCOUNTS PAYABLE TO APPROVE	<u>\$7,435.00</u>
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JAQUES SHARP

— ATTORNEYS AT LAW —

205 3RD STREET / PO BOX 457
HOOD RIVER, OR 97031
(Phone) 541-386-1311 (Fax) 541-386-8771

RECEIVED
MAR 03 2016
BY: _____

CREDIT CARDS ACCEPTED

HOOD RIVER, PORT OF
1000 E. PORT MARINA DRIVE
HOOD RIVER OR 97031

Page: 1
March 03, 2016
Account No: PORTOHAM

Previous Balance	Fees	Expenses	Advances	Payments	Balance
ENVIRONMENTAL INSURANCE (SESCO)					
95.00	0.00	0.00	0.00	-95.00	\$0.00
MISCELLANEOUS MATTERS					
627.00	95.00	0.00	0.00	-627.00	\$95.00
HANGAR LEASE (Cloud Cap/Goodrich)					
38.00	0.00	0.00	0.00	-38.00	\$0.00
LEASE (Pfriem Brewing)					
133.00	0.00	0.00	0.00	-133.00	\$0.00
PROPERTY SALE (Bob Naito; NBW Hood River)					
0.00	247.00	0.00	0.00	0.00	\$247.00
ODELL PROPERTY (Robert Hanel)					
57.00	0.00	0.00	0.00	-57.00	\$0.00
EXPO SITE DEVELOPMENT (Key Development; Pickhardt)					
133.00	3,027.00	0.00	0.00	-133.00	\$3,027.00

HOOD RIVER, PORT OF

I
March 03
Account No: PORTOHaM

Previous Balance	Fees	Expenses	Advances	Payments	Balance
CONCESSION PERMIT (Gorge Kiteboard School)	0.00	266.00	0.00	0.00	\$266.00
PROPERTY PURCHASE (Craig W. Sheppard)	722.00	0.00	0.00	-722.00	\$0.00
ABANDONED BOAT PROCESS	0.00	76.00	0.00	0.00	\$76.00
PUBLIC CONTRACT RULES (Updated)	19.00	1,482.00	0.00	-19.00	\$1,482.00
LEASE Expo Building (Pickhardt; Key Development)	114.00	0.00	0.00	-114.00	\$0.00
LEASE (pFriem Brewing, Josh pFriem, Rudy Keller)	323.00	0.00	0.00	-323.00	\$0.00
CONTRACT (H.D.R. ENGINEERING)	57.00	38.00	0.00	-57.00	\$38.00
HANEL SITE DESIGN (Vista GeoEnvironmental)	19.00	0.00	0.00	-19.00	\$0.00
LEASE (Real Carbon; Michael Graham)	114.00	0.00	0.00	-114.00	\$0.00
CITY PARKING IGA	171.00	133.00	0.00	-171.00	\$133.00
HANEL SITE FILL CONTRACT (JAL Construction, Inc.)	76.00	19.00	0.00	-76.00	\$19.00
BARGE BRIDGE DAMAGE	76.00	893.00	0.00	-76.00	\$893.00
BRANDT LAND TRADE AIRPORT AREA	0.00	589.00	0.00	0.00	\$589.00
SMALL CLAIMS (Juan Pulido)	627.00	114.00	0.00	-627.00	\$114.00

HOOD RIVER, PORT OF

Account No: F
March 03,
PORTOHaM

Previous Balance	Fees	Expenses	Advances	Payments	Balance
SOCIAL MEDIA/ONLINE PRIVACY 912.00	0.00	0.00	0.00	-912.00	\$0.00
ELECTRONIC TOLLING APPLICATION CHANGES 133.00	0.00	0.00	0.00	-133.00	\$0.00
PROPERTY SALE - ODELL ; 0.00	19.00	0.00	0.00	0.00	\$19.00
WATER ISSUES ODELL (Crystal Springs Water District 0.00	437.00	0.00	0.00	0.00	\$437.00
<u>4,446.00</u>	<u>7,435.00</u>	<u>0.00</u>	<u>0.00</u>	<u>-4,446.00</u>	<u>\$7,435.00</u>

THIS STATEMENT REFLECTS SERVICES PROVIDED AND PAYMENTS RECEIVED THROUGH THE 29th OF FEBRUARY UNLESS OTHERWISE STATED

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Commission Memo



Prepared by: Fred Kowell
Date: March 10, 2016
Re: Airport Master Plan Update

CenturyWest Engineering is the Port's airport engineers and they have been instrumental in pulling together the Airport Master Plan. The process took over a year with the establishment of a committee, comprised in large part of the Airport Advisory Committee, the FBO operator, a County representative, WAAAM, Commissioner Streich, Commissioner Duckwall and Port staff. CenturyWest guided the discussion and planning process through various meetings and points of interest. Over time, an airport layout formed with those key components being placed on an Airport Layout Plan.

CenturyWest Engineers will be here to guide us through the Airport Layout Plan and the key discussion points that occurred over time.

RECOMMENDATION: Discussion.

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Commission Memo

Prepared by: Genevieve Scholl
Date: March 10, 2016
Re: Connect VI Aviation Modal Review



Michael McElwee and TacAero's Brian Prange presented the Port's *Aviation Technology & Emergency Response Center* project proposal to the Connect VI Aviation Modal Review Committee on March 1. The project is now sitting at #8 ranked position, and within the first \$6.5 million of an expected \$9 million funding pool for the aviation mode group. Michael will share the presentation during the Commission and provide further updates.

RECOMMENDATION: Discussion.

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Commission Memo

Prepared by: Michael McElwee
Date: March 10, 2016
Re: FAST Act Next Steps



An application to designate the Hood River Bridge as part of the National Highway System is now being considered by the U.S. Department of Transportation (USDOT). Last week the USDOT issued the Notice of Funding Opportunity (NOFO) for the first round of the National Significant Freight and Highway Projects (NSFHP) Grant Program and a total of \$800 million being available. Applications for FY 2016 are due on April 14, 2016.

The Commission will need to consider near-term actions to take advantage of this potential federal funding opportunity. The specific actions will have budget, policy and staffing implications for the Port.

Some of the issues to be considered include:

- NHS Eligibility Status
- Application Success Potential in Round One
- Scope of Work
 - Final EIS
 - Final EIS and 25% Engineering
- Local Match Requirements (4%)
- Funding of Local Match

Staff seeks a discussion on these and related issues and direction from the Commission.

RECOMMENDATION: Discussion.

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Commission Memo



Prepared by: Michael McElwee
 Date: March 10, 2016
 Re: Waterfront Parking Plan Issues

Staff is working to prepare for the budget discussion at the upcoming Spring Planning meeting. One matter that will have implications for a number of areas of the budget is the proposed waterfront parking plan.

The Commission reviewed a discussion draft of a proposed parking plan at the January 26 meeting. Following is a list of many specific operational issues associated with the proposed plan and current staff recommendations. Staff seeks further Commission discussion and direction about these recommendations as work continues to refine the plan in preparation for the Spring Planning.

A. Schedule

- Execute IGA with City fall 2016
- Order meters in conjunction with City approximately December 2016
- Install meters and pads March/April 2017
- Start fee parking and enforcement May 2017

B. Seasonality

- Payment required May 1 to October 15
- No payment November to April
- Year-around for Marina Parking Lot

C. Required Payment & Enforcement Hours

- 10:00 a.m. to 6:00 p.m.
- 8:00 a.m. to 6:00 p.m. Marina Parking Lot

D. Parking Passes & Fees

- Hourly Pass @ \$1.00/hr
- Daily Pass @\$8/day
- Weekly Pass @ \$40/week (Parking in Port fee areas for seven consecutive days)
- Season Pass @ \$450 (Parking in any Port fee area for entire 6-month period, including Event Site) *Note: Weekly Pass Equivalent = \$960*
- Event Site passes would still be sold for the time booth is open (Memorial Day Weekend through Labor Day Weekend) for a cost of \$100

E. Enforcement

- Intergovernmental Agreement (IGA) with the City for parking enforcement officer to enforce parking limits on Port property
- Year-round enforcement services provided but mostly May to October
- Current Port cost assumption is \$50,000/year or ½ cost of parking enforcement officer salary, benefits and City overhead
- Port collects 80% of net proceeds from fines after court/administrative costs

F. Equipment

- 8-10 pay stations required for all Port areas of paid parking
- Utilize the same pay stations – Cale—as the City of Hood River
- Assume one pay station per 15-20 cars
- No cash would be accepted at the stations—debit and credit cards only
- Assumed price is \$8,725 per station
- FY 16/17 budget amount would be approximately \$140,000 for equipment/maintenance/signage and ½ year for parking enforcement officer

G. Public Outreach

- Conduct outreach to waterfront tenants and businesses—spring/summer
- Host public meeting in conjunction with the City this fall

RECOMMENDATION: Discussion.

Port of Hood River Waterfront Parking Management Areas



Port Parking Management Areas (Vehicles)

- 1. Nichols Basin Dock (8)
 - 2. First Street (48)
 - 3. Event Site (188)
 - 4. Portway Avenue East (28)
 - 5. Jensen Bldg. Tenant Lot (54)
 - 6. WF Park Access Lot (70)
 - 12. Portway Avenue West
 - 13. Hook Road
 - 16. Marina Parking Lot (not shown) (83)
- 🇺🇸 = Pay Stations

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Commission Memo

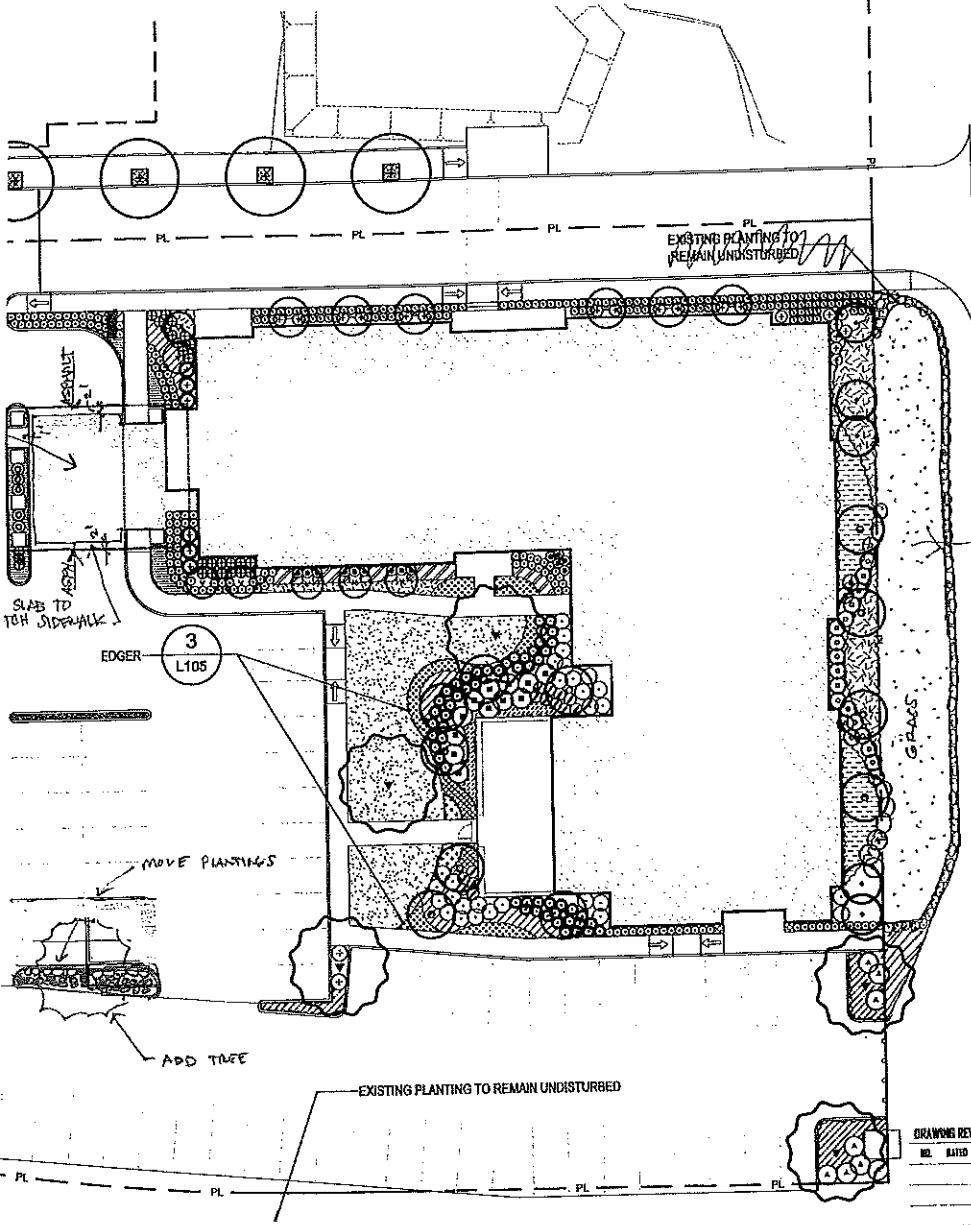
Prepared by: Michael McElwee
Date: March 10, 2016
Re: Naito Hotel Pedestrian Trail



In 2014 the Commission granted an Emergency Access Easement (EAE) to Naito Development (Naito) on the Spit Road just east of the new hotel construction site. The EAE Agreement required Naito to build, or pay for, a new pedestrian/bicycle trail connecting the recent Pedestrian Bridge improvements to the new road. The EAE Agreement requires Port approval of the new trail design, although key design features were identified in the Agreement.

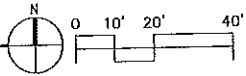
Naito now seeks to build the required pathway soon and has submitted the attached engineering and design drawings for approval. Staff seeks direction from the Commission.

RECOMMENDATION: Discussion.



DRAWING REVISIONS

NO.	DATE



PLANTING PLAN

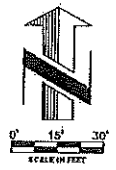
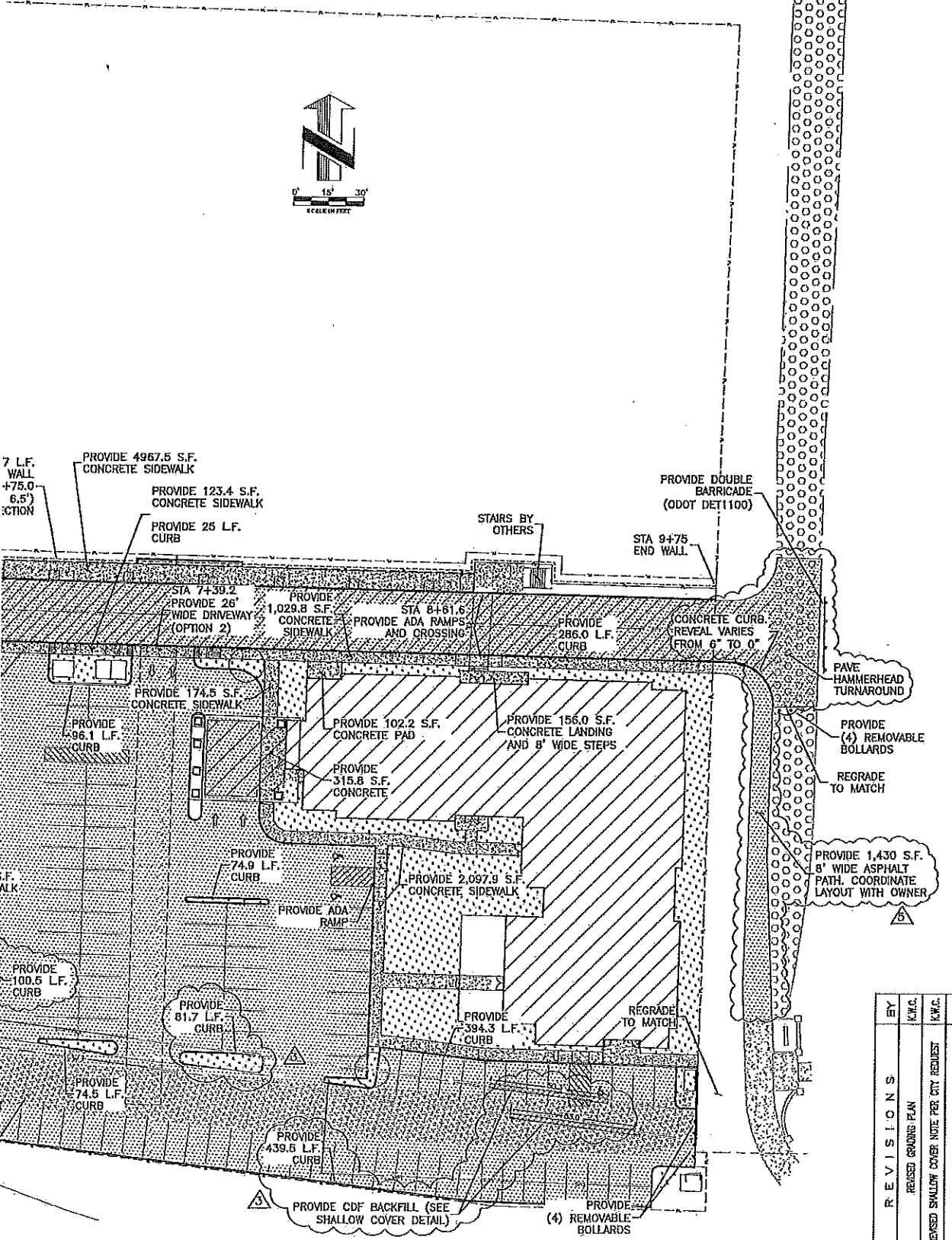


NICHOLS LANDING
 HOOK RIVER, OR

Site: 05-02-2010
 Phase: CONSTR DOCUMENTS
 Area by: RT

Sturgeson Architecture, Inc.
 200 S. HANCOCK ST. #200
 PORTLAND, OR 97204
 503.251.4184
 503.251.8425

L102



Design	K.W.C./D.O.E.	Survey	OTHER
DWG. No.	13703	Drawn	K.W.C.
Date	2015-01-27	Scale	1:3703
Work Order No.	13703		

SURFACING PLAN

FOR THE

NICHOLS LANDING PROJECT

HOOD RIVER, OREGON

PLOT DATE: 2/22/2016

TENNESON ENGINEERING CORP.

CONSULTING ENGINEERS

3775 CRATES WAY

THE DALLES, OREGON 97058

PH. 541-296-9177 FAX 541-296-6657



DATE	NO.	REVISIONS	BY
02/02/16	1	REVISED GRADING PLAN	K.W.C.
02/05/16	2	REVISED SHALLOW COVER NOTE PER CITY REQUEST	K.W.C.
02/22/16	3	REVISED TRASH ENCLOSURE, REBARRED CURBS & REBARRED	K.W.C.

RENEWAL DATE: 12/31/17

SURFACING

SHEET

5 OF 19

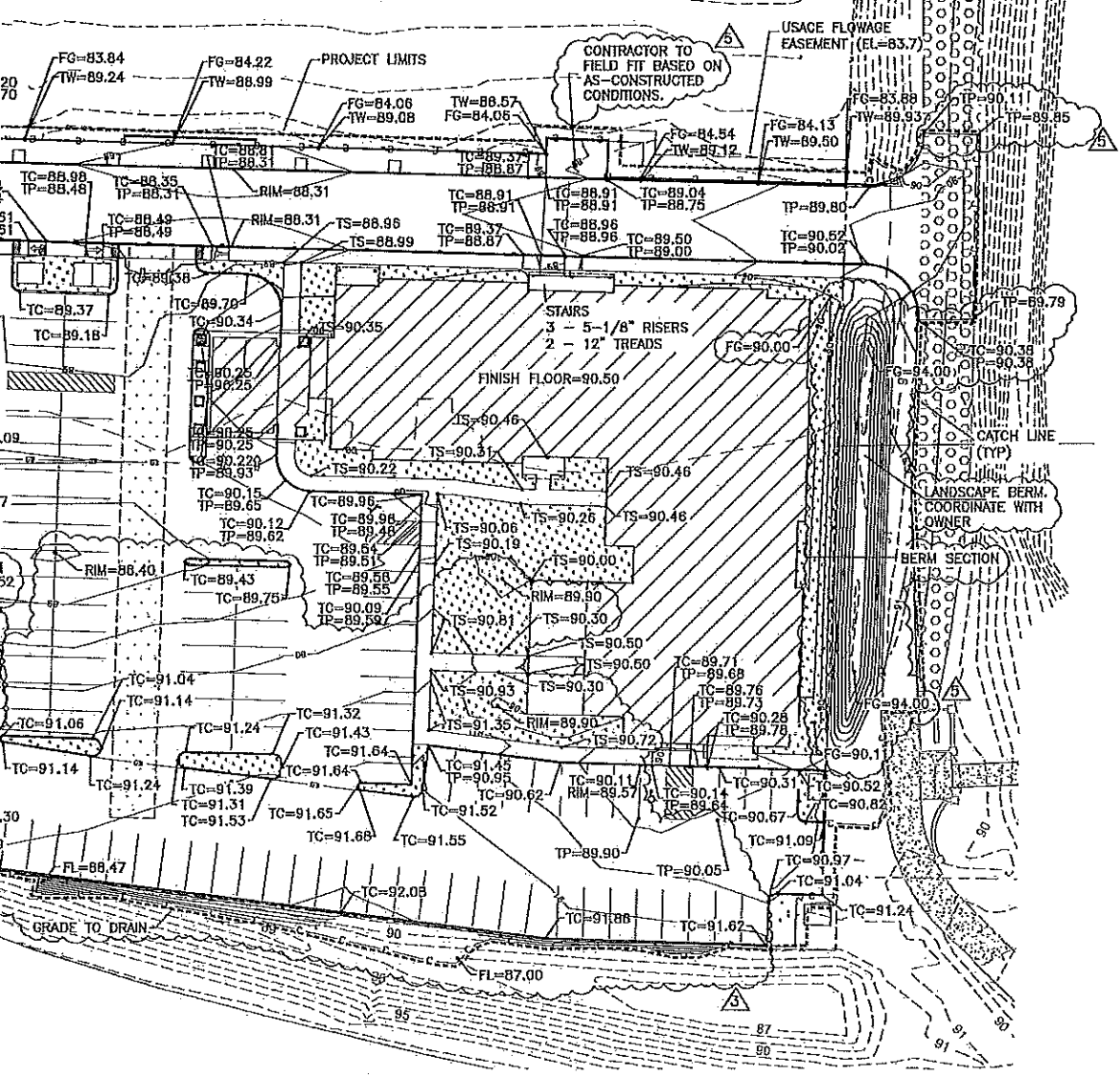
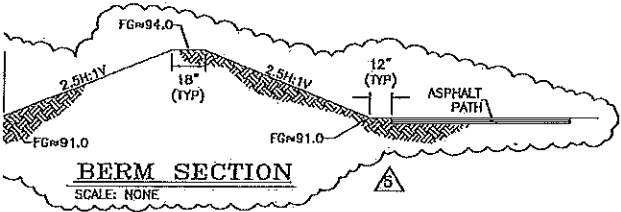
Work Order No. 13703

CH LEGEND :

SED ULT		EXISTING ASPHALT		EXISTING CONCRETE	
IPING		PROPOSED CONCRETE		EXISTING GRAVEL	
NG PING		EXISTING BUILDING		PROPOSED BUILDING	

LEGEND :

	MH
	(E) SAN SEWER
	PROPOSED SAN SEWER
	(E) STORM SEWER
	PROPOSED STORM SEWER
	CATCH BASIN
	CLEAN OUT
	(E) WATER LINE
	PROPOSED WATER LINE
	FIRE HYDRANT
	WATER VALVE
	BLOW-OFF VALVE
	WM = WATER METER
	NATURAL GAS LINE
	OVERHEAD TELEPHONE CABLE
	UNDERGROUND TELEPHONE CABLE
	FIBER OPTIC TELEPHONE CABLE
	CABLE TELEVISION LINE
	GRADE BREAK LINE
	CATCH LINE
	DITCH LINE
	OVERHEAD ELECTRIC POWER LINE
	UNDERGROUND ELECTRIC POWER LINE
	(E) POWER POLE
	(E) FENCE LINE
	EDGE OF PAVEMENT
	(E) GUARDRAIL OR CHAIN LINK FENCE
	PROPERTY LINE
	POWER TRANSFORMER
	TELEPHONE PEDESTAL
	GAS METER
	(E) CONTOUR LINE
	(E) INDEX CONTOUR LINE
	100
	100
	100
	PROPOSED FINISHED INDEX CONTOUR LINE



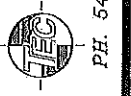
Design	K.W.C./D.O.E.	Survey	OTHER
DWG. No.	13700	Date	2015-01-27
Drawn	K.W.C.	Scale	1:3703
Work Order No.	13703		

GRADING PLAN

FOR THE
NICHOLS LANDING PROJECT
HOOD RIVER, OREGON
PLOT DATE: 2/22/2016

TENNESON ENGINEERING CORP.

CONSULTING ENGINEERS
8775 CRATES WAY
THE DALLES, OREGON 97058
PH: 541-296-9177 FAX 541-296-6657



0 1" SCALE
IF THIS BAR IS NOT ONE INCH, THEN ADJUST SCALES ACCORDINGLY

DATE	NO.	BY	REVISIONS
02/02/16	1	K.W.C.	REVISION GRADING PLAN
02/22/16	2	K.W.C.	REVISION TRASH ENCLOSURE, REMOVED COB&S & REBAR. K.W.C.

GRADING

SHEET
4 OF 19

Work Order No.
13703

Commission Memo



Prepared by: Anne Medenbach
Date: March 10, 2016
Re: Crystal Springs Update

On Monday, February 29, staff met with Crystal Springs Water District, the Oregon state deputy fire marshal, a Hood River County building official, the Wy'East District fire chief and Port engineers. The purpose of this meeting was to clarify what exactly the Port could build at the Lower Mill Site with the current system.

The result of this meeting is that Port staff, engineers, and the County feel that the Port may be able to get to the minimum pressure required by the fire department by doing a small line extension of 800+ LF rather than a 3,500 LF line expansion. Staff and Port engineers are preparing a proposal to the Crystal Springs board that would accomplish this.

Staff will have an update at the meeting regarding the outcome of the Crystal Springs Board meeting proposal review on March 10.

RECOMMENDATION: Discussion.

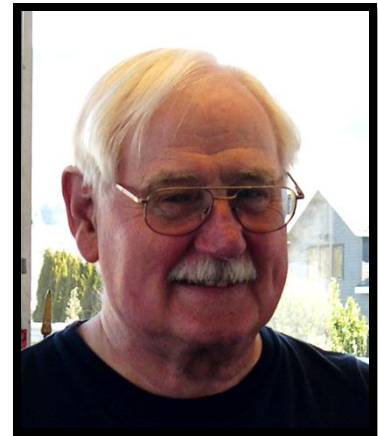
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Executive Director's Report

March 10, 2016

Staff & Administrative

- Our spring planning session will occur on March 29. Staff is assessing our facilities, desirable projects and various other budget components. These will be incorporated into an updated 10-year financial model and will form much of the basis for Commission discussion at spring planning. If there are specific matters that any Commissioner would like to discuss at the meeting, please let me know.
- If you did not see it, Representative Johnson wrote a nice letter in the February 24th edition of the Hood River News about the Legislative receptions in Olympia and Salem and complimented Genevieve for her work on those events.
- After consultation with Hal Hiemstra, I do recommend that we attend the PNWA “Mission to Washington” March 13-17. In part, this is because the U.S. Department of Transportation issued a Notice of Funding Opportunity on February 25 under the Nationally Significant Freight & Highway Program. Applications are due by April 14, 2016. Meetings with the USDOT would provide opportunity to discuss a potential application for funding to complete the EIS.
- Glenn Brittenham, a lead toll-taker and long-time Port employee has announced his retirement in March. Due to Glenn’s departure and staff turnover in the toll booth, we are now seeking three new part-time employees.
- The Port’s Spring Newsletter and Annual Report is expected to be printed and mailed in late March/early April.
- The Port’s new website will go live March 12; the site’s URL remains the same – portofhoodriver.com.
- Columbia River Insurance is hosting Board Member and Management Staff training in April. George Dunkel, SDAO Consulting Services Administrator will offer a session on Monday, April 4 from 1-4pm at the Hood River Fire Station reviewing board duties, responsibilities, and liabilities. Management staff would also benefit from this overview of the varied and often complex laws governing Oregon’s special districts. The cost is free for SDAO members and is Best Practices eligible. If this date doesn’t fit into your schedule, the training will be provided on Tuesday, April 5 in The Dalles from 9am-noon at the Columbia Gorge Community College’s Building 2, third floor. Please let Laurie know if you’ll be able to attend so she can register for you.
- Our HRVHS intern, Payton Rigert, began her internship at the Port on February 16.



Glenn Brittenham

Recreation/Marina

- The contract with Emery & Sons has been signed and work will begin on the Hook rigging area in April.
- Marina Green has been thatched and re-seeded. This was a major project and all Facilities Department staff participated in the work. We have not yet received word from PacifiCorp about assistance to move the live-front power cabinet.
- Per their Emergency Access Easement Agreement with the Port, Naito Development is seeking design approval for the pathway they are required to install, or pay for, on the Spit east of the new hotel. This is a discussion item for the meeting.
- Staff is continuing to work with the Hood River Yacht Club and Marina Committee to refine a concept plan for the South Basin Dock. This will be a topic for spring planning.

Development/Property

- Based on the recently completed concept plan prepared by Walker|Macy, we are now prepared to begin the subdivision process. I sought assistance from local planner Scott Keillor and the firm Berger Abam for this effort. This is an action item on the agenda.
- The Sheppard's project is expected to start construction in April.
- The re-keying to a master system is now complete at: Big 7 (floors 1 &2), DMV, Chamber and Wasco Buildings. The remainder of the buildings will be complete next year or as budget allows. Anne is also considering changing card access vendors with the goal of improving the functionality of the current system.
- ServePro and Tofurky have both exercised extension options at the Jenson Building. Tofurky took a 3-year option and ServePro exercised a 5-year, both with escalating clauses as currently written.
- Real Carbon and pFriem have moved. pFriem is now the sole occupant of the Halyard Building and Real Carbon is tucked in the Big 7 Building 1st floor.
- Utility design work is complete for the Lower Mill on-site utilities. Anne hopes to go out to bid for the work in March.
- MCCOG has agreed to the offered option of paying off the principal debt and continuing to pay rent under the lease through November 2017.
- Anne has received a proposal from a wetlands specialist for mitigating the wetland at the Lower Mill Site and using the JWBP vacant lot as a Port wetland bank. This bank

would be large enough to potentially mitigate both the Airport and Lower Mill wetlands. Preliminary cost estimate for the Lower Mill wetland permitting is \$8,000. Creating the wetland at JWBP large enough for both the Airport and the Lower Mill is under \$75,000.

Airport/Marina

- After a 5-1/2 month stay at the Commercial Dock, the private motor yacht “Pastime” departed for Alaskan waters on February 23. The captain has indicated he will be contacting the Port about a winter layover again this fall.
 - The “Espiranza” was craned into the Marina on February 29. A water towing service took the vessel to Portland on Thursday, just in time before the locks at Bonneville were to close for a two week maintenance period.
 - John Mann was able to identify a contractor to level both the Boathouse Dock and Shell Dock. The work occurred on February 22 for a total cost of \$2,750.
 - The Port’s Connect VI Project “Hood River Airport Aviation Technology & Emergency Response Center” was presented to the Aviation Modal Review Committee on March 1. The project has been ranked 8th on the Committee’s selection list, placing it within the first \$6.5 million of an expected \$9 million in aviation funding. Ours is the only aviation project in Region 1.
-

Bridge/Transportation

- ACE insurance and their subrogation team met with Port staff on February 16 to discuss the investigation and potential insurance claim. On February 17 and 23rd the ACE engineers took concrete core samples from Pier 12 in and near the vessel allision point as part of their forensic investigation. It will take months for the samples to be analyzed at a laboratory in Illinois. Our claim notice was issued the week of February 29.
- The two new deck panels have been modified and are ready for installation. Advanced American Construction (AAC) is now scheduled to replace the span guides during overnight shifts March 7-10 subject to weather conditions. Port crews will provide flagging for the required single lane closures. A press release and Constant Contact Notice were issued.
- The next meeting of MCEDD’s “Connect Mid-Columbia” is March 10 in The Dalles.
- John is working on a plan to replace the bridge lights with LED fixtures. Work would occur this spring and is in our FY 15/16 budget. The Port has replaced fixtures and ballasts on the bridge’s lights many times over the years and there is a high cost associated with such work.

Ranking (Proposed)	Project	Submitting Agency
1	Hood River Workforce Housing	Hood River County/City of Hood River
	Hood River County Maintenance Facility Consolidation	Hood River County/City of Hood River
	City of Hood River Maintenance Facility Location Analysis	Hood River County/City of Hood River
	Land Banking	Hood River County/City of Hood River
2	Bridge of the Gods-Operations & Maintenance Plan Funding	Port of Cascade Locks
	Hood River Bridge Replacement—Final Environmental Impact Statement	Port of Hood River
3	Hood River Lift Span Repairs	Port of Hood River
	Truck Route through Weigh Station I-84 Exit 47	City of Cascade Locks
4	Reconfiguration and Signalization at Cascade Ave. and Rand Rd. Intersection	City of Hood River
	Lot #1 Infrastructure	Port of Hood River
6	Develop new and expanded water storage (infrastructure)	Hood River County/Irrigation Districts
	Hood River Country Club Should Bikeway (Hood River County)	Hood River County
8	Cascade Locks Business Park: Industrial Park Infrastructure	Port of Cascade Locks
	Lower Mill Utility Infrastructure	Port of Hood River
10	Signalization at 2nd/Oak	City of Hood River

Not Ranked

May Street Elevated Sidewalk Replacement and ADA	City of Hood River	\$1.55 million
Rand Road Sidewalk and Bike Lane Project (City of H	City of Hood River	\$1.35 million
Trail Completion-Mitchell Point	Historic Highway	

Gorge Hubs	Historic Highway	
Windmaster Sewer District Phase II	Hood River County	\$740,000 to \$1 million.
Windmaster Sewer District Phase III	Hood River County	\$705,000 to \$1 million.
Connectivity between Downtown & Waterfront--bik	City of Hood River	
Signalization and Improvements at Cascade Ave and	City of Hood River	\$4 million
Marine Park Beach Expansion	Port of Cascade Locks	\$1.5 million
Forest Biomass Campus Facility	Hood River County	\$450,000 to \$2 million
Countywide Comprehensive Parks & Trails Master P	Hood River County	
Strategic Community Energy Plan	Hood River County	
Fresh Start Arts Culinary Program	Fresh Start Arts Culinary Program	

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Commission Memo



Prepared by: Michael McElwee
Date: March 10, 2016
Re: Lot #1 Planning Services

Walker|Macy completed a conceptual subdivision and infrastructure plan for Lot #1 in February. The next step to prepare the property for future development is City of Hood River approval of a Preliminary Subdivision Plan (PSP).

Port staff will need consultant assistance to prepare the required application for the PSP, both in planning and surveying. Attached is a proposal from the firm of Berger Abam to prepare the required application materials. Berger Abam has significant experience in planning and code review matters in the City of Hood River and can carry out this work efficiently and well. The total proposed fee is reasonable.

Completion of an application for a Preliminary Subdivision for Lot #1 is in the Port's FY 15/16 budget and is a component of the Executive Director's FY 15/16 work plan.

RECOMMENDATION: Authorize contract with Berger Abam for Lot #1 planning services not to exceed \$21, 999 plus reasonable reimbursable expenses, subject to legal counsel review.

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Commission Memo

Prepared by: Michael McElwee
Date: March 10, 2016
Re: Lot #1 Survey Services



If the Commission authorizes a contract with Berger Abam to prepare a Preliminary Subdivision application, survey services will be needed to prepare key exhibits. The attached proposal from Terra Surveying describes the scope of survey work that will be required. Terra Surveying has extensive survey experience on the waterfront and the proposed fee is reasonable.

RECOMMENDATION: Authorize a contract with Terra Surveying for Lot #1 surveying services not to exceed \$5,500 plus reasonable reimbursable expenses, subject to legal counsel review.

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February 22, 2016

The Port of Hood River
Attn: Michael McElwee
1000 E. Port Marina Way
Hood River, Oregon
97031

Re: Subdivision Plat for Lot 1

Michael,

In reference to your request, I have prepared the following proposal for providing professional surveying services within the port industrial area, Lot 1. These services include creating a preliminary-plat for the application process based on the draft subdivision plat provided by the Port, the creation of easements will be a collaborative effort with Port staff. I will work with Berger ABAM to facilitate timely submittals.

Lump sum cost is \$5,500
(Cost does not include application cost, filing cost, recording cost)

Thank you for this opportunity.

Erik M. Carlson, P.L.S.
President
Terra Surveying

Work approved by: _____ date: _____



Phone: 541.386.4531

TERRA SURVEYING
1406 12th Street, Suite 100
Hood River, Oregon
Email: [terra@gorge.net](mailto:tterra@gorge.net)

Web: terralandsurveying.com

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Commission Memo



Prepared by: Anne Medenbach
Date: March 10, 2016
Re: Schott & Associates - Airport Wetland Delineation

Improvements to the North Ramp of the airport have been in the Airport Master Plan for the last 20 years, including relocation of the fuel tanks and the FBO. The work includes site prep, utility installation and paving. These projects are included in the Port's Connect VI grant proposal as well as in the FAA Capital Improvement Plan (CIP).

Before any of this work can be done, the wetland that dissects the existing North Ramp from the future North Ramp Expansion needs to be delineated and potentially mitigated. The timing of the work depends on approval of the Connect VI application. If the request is approved, work would begin in spring of 2017. The wetland would need to be mitigated before then.

Schott & Associates has worked at the airport in the past and comes with two other referrals. They are also working with staff on wetland mitigation and banking ideas for the Lower Mill Site and potential needs for the airport.

This contract includes delineating the wetland on the north side and working with Department of State Lands to identify the wetland type. Once this is complete, the Port may move forward with an additional contract to conduct any further permitting, planning or mitigation required for development of the North Ramp area. The delineation is valid for five years and would be valid even if no work was done until 2020, as anticipated in the FAA CIP.

RECOMMENDATION: Approve contract with Schott & Associates for wetland delineation services not to exceed \$5,860.

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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 **Schott & Associates** ("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 \$5,860.00. 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 May 2, 2016. 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, defend, 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 activities 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. The person signing below on behalf of Contractor warrants they have authority to sign for and bind Contractor.

CONTRACTOR

PORT OF HOOD RIVER

Signed:	Signed:
Martin Schott	Michael McElwee
Title: Ph.D, PWS	Title: Executive Director
21018 NW Hwy 99E Aurora, OR 97002	1000 E. Port Marina Dr. Hood River, OR 97031
(503)678-6007 martin@schottandassociates.com	(541) 386-1645 porthr@gorge.net

**Personal Services Contract
Exhibit A**

I. SCOPE OF WORK:

Contractor shall delineate the wetland that is located on Tax Lots 2501 & 2503 of Hood River County Assessor's Map 02N10E11B. The wetland delineation will entail:

1. Determining the boundary of the wetland and describing any other waters in the area, or adjacent to the study area.
2. Staking the wetland boundary and mapping the staked boundary and sample plots.
3. Preparing a wetland delineation report that that satisfies all the requirements of the Oregon Department of State Lands, including the report cover form.
4. Responding to the DSL review of the wetland and negotiating the type of wetland determination that occurs.

II. DELIVERABLES AND TIMEFRAME:

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

1. A wetland delineation report.

The due dates for the deliverable(s) shall be: May 2, 2016

III. CONSIDERATION:

This contract is not to exceed \$5,860.00

Reimbursables under this Contract shall be none

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, or at such other interval as is specified below:

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

**Personal Services Contract
Exhibit B**

INSURANCE

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 X 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. On All Types of Insurance. There shall be no cancellation or intent not to renew the insurance coverages without 30-days written notice from the Contractor or its insurer(s) to the Port, except 10 days for premium non-payment.

- 6. Certificate of Insurance. As evidence of the insurance coverage required by this Contract, the Contractor shall furnish acceptable insurance certificates to the Port at the time 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 shall provide that the insurance shall not terminate or be canceled without 30 days written notice first being given to the Port. 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.

