



**CITY COUNCIL AND LOCAL CONTRACT REVIEW BOARD AGENDA MEETING AGENDA**  
**Monday, April 21, 2014 - 6:00 P.M.**  
**Council Chambers**

The City Council of the City of Newport will hold a City Council meeting and the Local Contract Review Board on Monday, April 21, 2014, at 6:00 P.M. The City Council and Local Contract Review Board meetings will be held in the Council Chambers, City Hall, located at 169 S.W. Coast Highway, Newport, Oregon 97365. A copy of the agenda follows.

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired, or for other accommodations for persons with disabilities, should be made at least 48 hours in advance of the meeting to Peggy Hawker, City Recorder at 541.574.0613.

The City Council reserves the right to add or delete items as needed, change the order of the agenda, and discuss any other business deemed necessary at the time of the meeting.

*Anyone wishing to speak at a Public Hearing or on an agenda item should complete a Public Comment Form and give it to the City Recorder. Public Comment Forms are located at the entrance to the City Council Chambers. Anyone commenting on a subject not on the agenda will be called upon during the Public Comment section of the agenda. Comments pertaining to specific agenda items will be taken at the time the matter is discussed by the City Council.*

**I. Pledge of Allegiance**

**II. Call to Order and Roll Call**

**III. Public Comment**

*This is an opportunity for members of the audience to bring to the Council's attention any item not listed on the agenda. Comments will be limited to three (3) minutes per person with a maximum of 15 minutes for all items. Speakers may not yield their time to others.*

**IV. Proclamations, Presentations, and Special Recognitions**

*Any formal proclamations or recognitions by the Mayor and Council can be placed in this section. Brief presentations to the City Council of five minutes or less are also included in this part of the agenda.*

**A. Proclamation - Distracted Driving Month**

**V. Consent Calendar**

*The consent calendar consists of items of a repeating or routine nature considered under a single action. Any Councilor may have an item on the consent agenda removed and considered separately on request.*

- A. Approval of Minutes from the City Council Work Session and Regular Meeting of April 7, 2014 (Hawker)

**VI. Communications**

*Any agenda items requested by Mayor, City Council Members, City Attorney, or any presentations by boards or commissions, other government agencies, and general public will be placed on this part of the agenda.*

- A. From the OCCA Presentation on Management of Performing Arts Center - Catherine Rickbone
- B. From the Economic Development Alliance of Lincoln County- Consideration of Resolution No. 3669 - Adopting an Enterprise Zone Boundary Change
- C. From the Airport Committee-Request that the Municipal Code Section 2.05.025 be Modified to Allow for Two Non-residents Seats on the Airport Committee.
- D. From the Business License Work Group-Interim Report on Discussion Regarding the City of Newport Business License Review

**VII. City Manager Report**

*All matters requiring approval of the City Council originating from the City Manager and departments will be included in this section. This section will also include any status reports for the City Council's information.*

- A. Acceptance of Proposal from the Greater Newport Chamber of Commerce for Tourism Promotional Services
- B. Amendment No. 1 to City of Newport-Seal Rock Water District-Urban Service Agreement
- C. Approval of Franchise Extension Agreement between the City of Newport and Falcon Telecable and I/k/a Charter Communications
- D. Status Report -OLCC Licensed Establishments

---

**VIII. LOCAL CONTRACT REVIEW BOARD MEETING AGENDA**  
**Monday, April 21, 2014**  
**City Council Chambers**

- A. Call to Order
- B. Approval of Task Order No. 12 with Civil West Engineering Services, Inc. for Design Services for SW Abalone-Brant Street Improvements
- C. Adjournment

---

**IX. Report from Mayor and Council**

*This section of the agenda is where the Mayor and Council can report any activities or discuss issues of concern.*

**X. Public Comment**

*This is an additional opportunity for members of the audience to provide public comment. Comments will be limited to five (5) minutes per person with a maximum of 15 minutes for all items. Speakers may not yield their time to others.*

**XI. Adjournment**





**CITY MANAGER'S REPORT AND RECOMMENDATIONS**  
**CITY COUNCIL AND LOCAL CONTRACT REVIEW BOARD AGENDA**  
**Monday, April 21, 2014**  
**Council Chambers**

*This report is an executive summary of this agenda packet with recommended actions for the City Council. Detailed departmental reports, minutes and other supporting materials are provided within the full agenda packet where referenced.*

**AGENDA ITEMS**

**IV. Proclamations, Presentations, and Special Recognitions**

- A. Mayor Roumagoux will be proclaiming April 2014, to be Distracted Driving Month in the City of Newport. Receiving the proclamation will be Lieutenant Jason Malloy on behalf of the Newport Police Department.

**V. Consent Calendar**

**Background:**

The consent calendar consists of items of a repeating or routine nature considered under a single action. The recommended actions on the consent calendar are as follows:

- A. Approve the Minutes from the Regular City Council Meeting and Work Session of April 7, 2014.

**Recommended Action:**

I recommend that the City Council approve the following motion:

I move approval of the consent calendar for the April 21, 2014 City Council meeting.

**Fiscal Effects:**

None

**Alternatives:**

Any Councilor may have an item on the consent calendar removed and considered separately upon request.

**Agenda Packet Reports:**

- A. Minutes from City Council Work Session and Regular Meeting of April 7, 2014.
-

## **VI. Communications**

### **Agenda Item: VI.A.**

**From the Oregon Coast Council for the Arts (OCCA) - Presentation on Management of the Performing Arts Center by Catherine Rickbone**

#### **Background:**

As you are aware the Oregon Coast Council for the Arts (OCCA), has an agreement with the City of Newport for the management of the Newport Performing Arts Center and Visual Arts Center. Both of these facilities are owned by the city and the OCCA has been both a financial and the operational partner of the city for the construction, furnishing, and operation of the Performing Arts Center over the years. In 2007, the city agreed to provide compensation in the amount of \$99,600 to OCCA to manage and operate the Performing Arts Center and to provide some management of the Visual Arts Center as well. Under this agreement, OCCA is responsible for cleaning, general maintenance, and minor repairs to the Performing Arts Center. The city is responsible for major repairs to the structure and essential components of both the Performing Arts Center and the Visual Arts Center. In addition, the city is responsible for the cleaning, general maintenance and repairs to the Visual Arts Center. OCCA is required to present a report to the city on the operations of these facilities along with a request for funding for the next fiscal year. I have enclosed a copy of the request for funding for the 2014-15 fiscal year. This request for funding will be considered by the Budget Committee as part of the budget review and approval process that will be initiated with the first Budget Committee meeting on Wednesday, April 30, 2014. Catherine Rickbone Executive Director of the Oregon Coast Council for the Arts, will provide a report on activities for the City Council at the April 21, 2014, City Council meeting.

#### **Recommended Action:**

None by the Council at this meeting

#### **Fiscal Effects:**

None

#### **Alternatives:**

None recommended.

#### **Agenda Packet Reports:**

OCCA Management Report  
FY 14-15 Funding request letter  
FY 12-13 Actuals for PAC and VAC  
FY 13-14 March 30<sup>th</sup> Actuals for PAC and VAC  
Current Agreement for Services dated 10/02/13

---

### **Agenda Item: VI.B.**

**From the Economic Development Alliance of Lincoln County - Consideration of Resolution No. 3669 - Adopting an Enterprise Zone Boundary Change**

#### **Background:**

In 2010, Lincoln County, Lincoln City, Toledo, Waldport, and Newport jointly applied for an Enterprise Zone which was formally approved by the Director of Business Oregon on July 1, 2010. Properties included in the enterprise zone are eligible for a three to five year property tax

exemption based in part on the increase in the employment generated by these investments within the zone.

Lincoln City is requesting boundary changes to the Lincoln County Enterprise Zone as it relates to the City of Lincoln City. In order to request these changes, the Economic Development Alliance of Lincoln County, as the local zone manager, is required to prepare and submit the technical memorandum to Business Oregon verifying the requested boundary changes to the Lincoln County Enterprise Zone. A resolution has been prepared for the city council's consideration of this request. A similar resolution is being requested of the cities of Toledo, Waldport, and Lincoln City, as well as Lincoln County. Please note that the requested changes have no impact on the zone's boundaries within the City of Newport.

Recommended Action:

I recommend that the City Council approved the following motion:

I move the approval of Resolution No. 3669 which adjusts the boundaries of the Lincoln County Enterprise Zone within Lincoln City, and authorizes the Economic Development Alliance as the local zone manager to prepare and submit a technical memorandum to Business Oregon, verifying that the requested boundary changes comply with the requirements of ORS 285c.115 for consideration of approval by the Director of Business Oregon.

Fiscal Effects:

None to the city.

Alternatives:

None recommended.

Agenda Packet Reports:

Communication from Caroline Bauman with supporting materials for the change.  
Resolution No. 3669- requesting a change in the boundary of Lincoln County Enterprise Zone

---

Agenda Item: VI.C.

From the Airport Committee - Requesting the Municipal Code Section 2.05.025 be Modified to Allow for two Non-residents Seats on the Airport Committee.

Background:

At the Airport Committee meeting held on Tuesday, April 8, 2014, the Committee requested that the Council consider modifying the city code in regards to membership on the Airport Committee. Section 2.05.025 provides that the airport committee shall consist of 5 full members allowing one of these members to be a non-resident of the City of Newport. The Airport Committee voted unanimously to request that the City Council consider modifying the city code to allow for two of the five seats to be filled by non-residents. Under this scenario there will still be a majority of seats held by residents of the City of Newport. This would allow a greater pool of candidates to apply to fill seats on the Airport Committee. It should also be noted, however, that it is important not to lose perspective that the airport is operated and supported by the City of Newport. I also think it is not necessary for every member of the Airport Committee be a pilot or a leaseholder of hangars at the airport. It is good to get a broad-based membership on this committee to look at all aspects of how the airport impacts the City of Newport and Lincoln County.

**Recommended Action:**

I recommend that the City Council authorize the development of an ordinance amending section 2.05.025 of the Municipal Code allowing for two members of the Airport Committee to be non-residents of the City of Newport with that ordinance being presented City Council at the May 5, 2014 City Council meeting.

**Fiscal Effects:**

None.

**Alternatives:**

Do not change the membership requirements of the Airport Committee or as suggested by the City Council.

**Agenda Packet Reports:**

Memo from Robert Fuller conveying the request from the Airport Committee including a copy from the current code section establishing the Airport Committee.

---

**Agenda Item: VI.D.**

From the Business License Work Group-Interim Report on Discussion Regarding the City of Newport Business License Review

**Background:**

At a December 16, 2014, City Council work session, discussion ensued on the formation of a business license review group to examine the city's current business license ordinance as suggested by Councilor Ralph Busby. A motion was made and supported to form a subgroup from the City Council that would consist of Councilors Busby and Saelens, along with staff designated by the City Manager and possibly a Planning Commission member, to look at the proposed revisions to the Business License ordinance and return to counsel for recommendations. This motion was approved by unanimous voice vote at the work session. Since February, Councilors Busby and Saelens, along with Planning Commission members Mark Fisher and Rod Croteau with support from Derrick Tokos, Bob Gazewood, Dustin Kittel, and me, have reviewed the existing Business License ordinance.

Councilor Busby had raised the initial question as to whether the city should have business license ordinance as one of the first philosophical discussions prior to getting into details of the existing city code. The consensus of the work group is that there is value in having a business license and that the discussion should focus on those elements of the business license ordinance that may require further refinement and/or definition as part of this process. The workgroup then reviewed each part of the ordinance and identified a list of issues that may require further discussion by the workgroup and ultimately the City Council. These include:

1. Three separate definitions included in section 4.05 of the municipal code for "business" "person" and "rental agreement property". In addition, some provisions should be moved out of definitions into exemptions to licensing, including the 20-hour rule.
2. Removal of language from the ordinance with regards to the establishment of fees and allow the City Council to establish fees by resolution.

3. Discussion on how multiple physical locations should be handled by the business license code.
4. There are several provisions under “applications” and “issuance” that should be revisited to do with the timing issue when you apply, what constitutes an actual business license, and what is a transient or temporary business versus a brick and mortar type operation. Furthermore, there needs to be discussion about signing and dating issuance of business licenses issued by the city.
5. Under administration, there should be a review of incorporating administrative rules within the ordinance.
6. Under denial or revocation, there should be discussion as to ramification of “may” and “shall” as it impacts and existing business license.
7. There should be discussion as to whether there should be additional enforcement for noncompliant businesses.
8. Discussion should occur on the relationship of other licenses or requirements that a business may need to obtain as it relates to the business license issued by the city (OLCC, professional licenses, contractor licenses, etc.).

These are the primary issues that the workgroup feels should constitute the review of the ordinance. If the Council concurs with this list, the workgroup is willing to continue their efforts at identifying potential clarification or changes to the ordinance with regards to these matters. Prior to proceeding with further discussions, the workgroup wanted to confirm with the City Council that these efforts are on track with the Council's expectations.

Furthermore, there were discussions as to whether the workgroup can continue its evaluation as constituted, or whether the Council may want to set up a more formal review group with posted meetings. There was discussion among the workgroup members at the last meeting, which was held on Wednesday, April 9, 2014, that there could be some benefit in further defining the issues prior to soliciting public involvement with this effort. If the Council so chooses, Council could have the workgroup continue to work in the areas identified previously to provide a more formal report back to City Council on modifications to the business license code. At that point, before the Council begins to discuss this matter, it would be appropriate to initiate the solicitation of public comment.

In the alternative, if the Council wants to constitute a formal body that would have posted meetings and minutes in which the public could participate in these discussions, Council could take action to formally appoint the members of the work group as a task force.

Recommended Action:

I recommend that the City Council approved the following motion:

I move that the City Council authorize the Business License Work Group to develop specific alternative language based on the list of items identified in the City Manager's Agenda Report, and request that the work group provide a detailed report on specific modifications that the Council could consider to the business license code, with public input occurring after receipt of the report, but prior to any deliberation by the City Council.

Fiscal Effects:

None by this action.

Alternatives:

Establish a formal task force to address the issues identified by the workgroup or as suggested by the City Council.

Agenda Packet Reports:

Municipal Code Chapter 4.05

---

**VII. City Manager Report**

Agenda Item: VII.A.

Acceptance of Proposal from the Greater Newport Chamber of Commerce for Tourism Promotional Services.

Background:

In February, a request for proposals for tourism promotional services was issued, with proposals due back to the city by 5 PM Wednesday, March 20, 2014. The proposal is to provide tourism promotional services to the City of Newport for the time period beginning July 1, 2014 and ending June 30, 2015 with two potential renewal periods for one year each for a total potential commitment of three years. The Greater Newport Chamber of Commerce is proposing an amount for the services outlined in their scope of services of \$172,500 from the City of Newport. The proposal states that the city will receive estimated services for this payment of \$334,550 to meet their responsibilities. Furthermore, the proposal indicates that the estimated cost of other chamber programs related to tourism is estimated at \$435,600 which benefits the City of Newport and surrounding areas.

The Chamber of Commerce and the city have a shared goal to improve the economic outlook of the community for tourism promotion and development. By all accounts, the Chamber of Commerce has done an excellent job in fulfilling these services during the current contract period.

Recommended Action:

I recommend that the City Council approve the following motion:

I move that the proposal for tourism promotion services from the Greater Newport Chamber of Commerce be accepted and that the City Manager develop an agreement between the City of Newport and the Greater Newport Chamber of Commerce for the provision of tourism promotion services in the amount of \$172,500 per year, which will be effective July 1, 2014, for a one-year period, with the option of renewing the agreement for two additional one-year periods for Council approval.

Fiscal Effects:

Annually funds are appropriated from the Room Tax Fund for this purpose; the cost for the city will remain the same as it was with the last contract that was entered into with the Chamber on July 1, 2011 of \$172,500 per year.

Alternatives:

None recommended.

Agenda Packet Reports:

The proposal from the Greater Newport Chamber of Commerce for tourism promotional services.

---

**Agenda Item: VII.B.**

**Amendment No. 1 to City of Newport-Seal Rock Water District-Urban Service Agreement**

**Background:**

The City of Newport entered into an Intergovernmental Agreement with the Seal Rock Water District in 2007 that expanded the city's water service area to include much of South Beach. One of the most significant issues that was not addressed in the original agreement was the withdrawal of properties from the water district. Furthermore, Seal Rock Water District has approved various general obligation bonds for improvement to its water system, impacting the properties that are being served by the City of Newport, but have not been withdrawn from the district. Even though these properties are now served by the City of Newport, they are continuing to pay property taxes to the water district that include recent bonds from 2011 and 2012 to finance improvements that are not of benefit to the properties served by the city. The water district recognizes that this is not fair to the city water customers that are no longer benefiting from the improvements made by the water district to their system. Amendment No. 1 to the City of Newport/Seal Rock Water District Urban Service Agreement address this fairness issue by not holding the property owners or the city responsible for any bonding that's occurred since the city took over the water service responsibilities in 2008. It is also important to note that the amendment is not, in and of itself, a change in the status of properties that are provided water service from the city, but are still within the boundaries of the Seal Rock Water District. The agreement does layout the framework for allowing those properties to withdraw from the water district. Please note, that the city will be responsible for the general obligation bond debt that occurred prior to 2008, for those properties located within the city, but would withdraw from the water district. As of July 1, 2014, this would amount to \$35,301.52. A separate process would occur for those properties not in the incorporated area of the city, but served by the city's water system. Those debt obligations can be passed on to those properties in future efforts when those property owners withdraw from the Seal Rock Water District. The amendment clarifies ambiguities as to the exact location of the two boundaries between the two water service providers, as well as authorization by both the city and the district to provide service in other areas with the appropriate written consent.

On behalf of the city I appreciate the significant efforts by Community Development Director Derrick Tokos and the Seal Rock Water District in addressing these inequity issues that have affected property owners that are provided water by the City of Newport but remain in Seal Rock Water District.

**Recommended Action:**

I recommend the City Council approve the following motion:

I move that the adoption of Amendment No. 1 to the 2007 Urban Service Agreement between the City of Newport and Seal Rock Water District and authorize the Mayor to execute said document, as included in this agenda packet.

**Fiscal Effects:**

None by approving the amendment. The amendment will lay the groundwork for the withdrawal of properties from the Seal Rock Water District. It would be the city's intent to collectively work with the property owners that are served by the city and located within the incorporated city limits who wish to withdraw from the Seal Rock Water District in a single action. This will facilitate the process for Lincoln County, the City, and the Seal Rock Water District at some point in the future.

Alternatives:

None recommended

Agenda Packet Reports:

Attached is the report prepared by Derrick Tokos, Community Development Director on Amendment No. 1 to City of Newport/Seal Rock Water District Urban Service Agreement which includes the existing agreement as well as the proposed agreement.

---

Agenda Item: VII.C.

Approval of between the City of Newport and Falcon Telecable I/k/a Charter Communications

Background:

The city entered into a five year franchise agreement with Falcon Telecable, known as Charter Communications, on April 22, 2008. In September of 2013, the Council approved an extension to the agreement to allow time for negotiation of the new agreement between the city and the cable company. The city has been utilizing Speer Hoyt to negotiate a new franchise agreement with Charter. Speer Hoyt has also be working with a consortium of other cities to develop new master agreements with Charter Communications as well. Charter is willing to agree to a nine-month extension, in order to try and conclude negotiations on the franchise. Speer Hoyt has reviewed the extension and recommend its adoption by the City Council.

Recommended Action:

I recommend that the City Council approve the following motion:

I move approval of the franchise extension agreement between the City of Newport and Falcon Telecable, locally know as Charter Communications, which extend the franchise agreement to January 21, 2015 and direct staff to continue to work with Speer Hoyt in negotiating a new franchise agreement with Falcon Telecable, I/k/a, Charter Communications which will be brought to City Council for future consideration and approval.

Fiscal Effects:

None directly by the extension of the franchise agreement.

Alternatives:

None recommended

Agenda Packet Reports:

Attached is the report prepared by Peggy Hawker, City Recorder on franchise extension agreement which includes the proposed agreement with Falcon Telecable I/k/a Charter Communications.

---

Agenda Item: VII.D.

Status Report - Oregon Liquor Control Commission (OLCC) Licensed Establishments

Background:

At the last City Council meeting, a report was requested from the Police Chief as a follow-up to the concerns in 2013 for three OLCC licensed establishments. A memo is attached outlining actions which followed this meeting. Chief of Police, Mark Miranda will not be available to attend the April 21 Council meeting. If additional information is requested he can update the Council at a later meeting.

Recommended Action:

No action required.

Fiscal Effects:

None

Alternatives:

None recommended

Agenda Packet Reports:

Memo from Police Chief Mark Miranda regarding meetings with OLCC licensed establishments in 2013.

---

**VIII. Local Contract Review Board**

Agenda Item: **VIII.B.**

Approval Task Order No. 12 with Civil West Engineering Services, Inc. for SW Abalone-Brant improvements.

Background:

As you are aware, the city has been working with the Oregon Museum of Science and Industry (OMSI) as well as other property owners to address various future street issues that are part of the Coho-Brant Neighborhood Plan. Task Order No. 12, will provide survey, design, and construction phase engineering services for the extension of SW Abalone from the curve of Abalone at Safe Haven Hill south to SW 35<sup>th</sup> Street, the extension of SW 30<sup>th</sup> between Abalone and Brant Streets, upgrade of SW Brant from 30<sup>th</sup> to South Jetty Road, to a full urban section, and the upgrade of SW 27<sup>th</sup> between Brant and Abalone. Please note that this action presumes approval of an order by the Urban Renewal Agency on behalf of the City of Newport to construct these improvements as recommended to the Urban Renewal Agency.

Recommended Action:

I recommend that the City Council, acting as the Local Contract Review Board, approve the following motion:

I move that the City Council, acting as the Local Contract Review Board, authorize the City Manager to execute Task Order No. 12 with Civil West Engineering Services, Inc. for design and construction engineering services for street improvements in the Coho-Brant neighborhood for the amount of \$204,274.

Fiscal Effects:

Funding has been appropriated from the South Beach Urban Renewal District and OMSI for this project with the Urban Renewal District ultimately contributing \$2,524,000 and OMSI contributing \$496,000 to ultimately complete construction on this work.

**Alternatives:**  
None recommended

**Agenda Packet Reports:**

Attached is the report prepared by Tim Gross, Public Works Director on Task Order No. 12 which includes engineering scope of services that will be part of this task order.

---

That concludes the City Manager's report and recommendations for the April 21, 2014, City Council meeting.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "S. R. Nebel".

Spencer R. Nebel  
City Manager

**PROCLAMATION**  
**Distracted Driving Awareness Month**  
**April 2014**

**WHEREAS**, distracted driving can result in injuries and deaths to motorists, pedestrians and bicyclists; and

**WHEREAS**, the health and well-being of Newport's citizens are a direct result of increased awareness about the dangers of distracted driving; and

**WHEREAS**, distracted driving occurs when drivers divert their attention away from the task of driving to focus on another activity, and such distractions endanger drivers' passengers and bystanders safety; and

**WHEREAS**, 80% of all crashes and 65% of all near-crashes can be attributed to some form of driver distraction, which is much greater than the number of crashes caused by any other distraction; and

**WHEREAS**, it is estimated that 1.6 million crashes per year can be attributed to cell phone talking and texting while driving; and

**WHEREAS**, distracted driving is a serious, life-threatening practice that is preventable; and

**WHEREAS**, in order to reduce the number of crashes as well as improve driver safety, Newport motorists should dedicate themselves to adopting and maintaining safe behavior while behind the wheel;

**NOW, THEREFORE**, I, Sandra Roumagoux, Mayor of the City of Newport, hereby proclaim April as

**DISTRACTED DRIVING AWARENESS MONTH**

in the City of Newport, and I call this observance to the attention of all citizens and encourage all citizens of Newport to increase their awareness of the dangers of distracted driving, and promise to protect each other on the road through distraction-free driving behavior.

Dated April 21, 2014.

*Sandra N. Roumagoux*  
 Sandra N. Roumagoux, Mayor





V.A.1  
April 7, 2014  
Noon  
Newport, Oregon

## CITY COUNCIL WORK SESSION

Councilors present: Roumagoux, Beemer, Busby, Allen, Sawyer, Swanson, and Saelens.

Staff present: Nebel, Hawker, and Tokos.

Also in attendance was Adam Denlinger, General Manager of the Seal Rock Water District.

Media present: Dave Morgan from News Lincoln County, and Dennis Anstine from the Newport News-Times.

Roumagoux called the meeting to order.

Roll was taken.

1. Roumagoux reported that the League of Oregon Cities is holding a workshop at City Hall, next week, entitled, "Managing in Turbulent Times."
2. Swanson noted that she would like to add a discussion item related to the Coast Guard and Loyalty Days.
3. A discussion ensued related to the amendment to the City of Newport and Seal Rock Water District urban service agreement. Tokos distributed a handout. He noted that the details of the amendment to the urban services agreement had been defined. He stated that the Seal Rock Water District Board will be meeting on April 10 and discussing the amendment to the urban services agreement. Tokos reported that the legal description and map associated with the amendment are nearly in final form. He noted that there will be an additional change to incorporate the pump station site, and the city will need to provide the Seal Rock Water District with an easement. Tokos stated that this amendment will position the city to provide water to the airport, and back-up water to the District. Denlinger noted that the pump station will go in both directions. Tokos reported that the draft agreement has been modified to include final language changes that spell out the statutory mechanics of the withdrawal process should a withdrawal be initiated. He added that he expects more explicit language in the final version. Tokos noted that the intent is that this is the first step toward providing tax relief to properties that are no longer served by the District.
4. A discussion ensued regarding the regular scheduling of City Council work sessions. Nebel noted that it has been the city's practice to hold regularly scheduled work sessions on Mondays of Council meetings. He added that if there are no issues to discuss, he has not been scheduling work sessions. Swanson stated that she believes that regularly scheduled work sessions are important for allowing sufficient time to

gather adequate information on subjects. She added that the informality of the sessions promotes team development. She stated that work sessions are paramount in getting new Councilors up to speed on various issues. She added that without free discussion on issues, Council will be dependent on one person's recommendation on issues. Saelens agreed with Swanson and added that information is subject to change from the date the packet is distributed until the Monday of the meetings. Busby agreed that work sessions are a good opportunity for more open discussion. He noted that the city lacks a well-defined process between informal and formal meetings. He cited the taxation of marijuana as an example, and noted that there is no clear path to move the matter from an informal discussion to a formal discussion. Sawyer agreed with much of what has been noted. He suggested that if there is nothing controversial, issues could be heard and discussed at the evening meeting, but added that if there is an in-depth issue, a work session is a good idea. Allen noted that in the past, work sessions were used to review the evening meeting agenda. He added that work session discussion later revolved around a list of issues that Council wanted to discuss. He added that there needs to be a balance between a defined list of issues and flexibility. Beemer noted that everyone had made good points, but that the number of meetings is part of the reason he is not running for re-election. Roumagoux noted that it is difficult to attract potential Councilors and participants who are employed due to the conflict with work hours. Saelens suggested that if a Council would like a work session on an issue that they talk with Nebel about scheduling. Nebel noted that if staff generates an issue, he schedules a work session, and that any Councilor can ask for an item to be placed on the agenda. He added that he is striving for predictability on the evening agenda. He asked what type of items would be included on work session agenda, and reiterated that Council could let him know if they wish something on a work session agenda. Allen suggested that with issues such as compostables, work sessions could be used to collect information before making a decision at the evening meetings. A discussion ensued regarding the collection of Council suggestions for work sessions. Roumagoux suggested a sign-up sheet in the Council office for suggested future agenda items. She noted that the consensus of Council is to hold work sessions as needed; maintain a list of potential work session agenda items in the Council office along with a possible meeting date; and that an on-line suggestion form be developed; and that it be at the discretion of Roumagoux and Nebel to organize meetings. It was agreed that if the work sessions were going to be short in duration, they be scheduled at 5:00 or 5:30 P.M., on the day of Council meetings, and if they might be longer, they should be scheduled at noon. Nebel noted that this item will be included on the next agenda for formal direction.

5. Saelens requested an excuse from the April 21, 2014 meeting, and Beemer requested an excuse from the June 2, 2014 meeting. MOTION was made by Sawyer, seconded by Busby to excuse Saelens and Beemer from the respective meetings. The motion carried unanimously in a voice vote.
6. It was noted that August 4 is Coast Guard Day, and suggested that the city do something to recognize the Coast Guard on August 4 and possibly during Loyalty Days. Roumagoux noted that she planned to discuss this matter with Patty Louisiana and Police Chief Miranda. She added that she would like a monument recognizing the city as a "Coast Guard City." Busby stated that he was unaware of the potential closure of the Coast Guard Airbase. He added that it is scheduled to remain open until 2015.

Having no further business, the meeting adjourned at 1:10 P.M.



V.A.2

April 7, 2014  
6:00 P.M.  
Newport, Oregon

The City Council of the City of Newport met on the above date in the Council Chambers of the Newport City Hall. On roll call, Roumagoux, Saelens, Allen, Beemer, Busby, Sawyer, and Swanson were present.

Staff present was City Manager Nebel, City Recorder Hawker, Community Development Director Tokos, Library Director Smith, Public Works Director Gross, and Police Lieutenant Malloy.

Roumagoux asked for a moment of silence in memory of Mikala Osborn and Cayden Fitch, two young Lincoln County residents, who died in traffic accidents last weekend.

#### **PLEDGE OF ALLEGIANCE**

Council, staff, and the audience participated in the Pledge of Allegiance.

#### **PUBLIC COMMENT**

#### **PROCLAMATIONS, PRESENTATIONS, AND SPECIAL RECOGNITIONS**

**Proclamation Honoring National Service Recognition Day.** Roumagoux proclaimed April 1, 2014 to be National Service Recognition Day in the City of Newport. Keira Morgan, Holly Terlson, and Nancy Hawley received the proclamation.

**Proclamation - National Public Health Week 2014.** Roumagoux proclaimed April 7-13, 2014 to be National Public Health Week in the City of Newport. Rebecca Austin, Public Health Director of Lincoln County, and members of the Lincoln County Public Health Advisory Committee received the proclamation.

**Proclamation - National Library Week 2014.** Roumagoux proclaimed April 13-19, 2014 to be National Library Week in the City of Newport. Library Director, Ted Smith, received the proclamation.

**Proclamation - Child Abuse Awareness and Prevention Month.** Roumagoux proclaimed April to be Child Abuse Awareness and Prevention Month in the City of Newport. Pam Salisbury, Executive Director of the Children's Advocacy Center, received the proclamation.

Oath of Office for Lance Cummings - Newly-Appointed Police Officer. Malloy introduced Lance Cummings, newly-appointed Police Officer. Hawker administered the oath of office.

## CONSENT CALENDAR

The consent calendar consisted of the following items:

- A. Approval of minutes from the City Council work session of March 11, 2014; joint meeting of the City Council, Urban Renewal Agency and Audit Committee; City Council and Local Contract Review Board meeting of March 17, 2014; special City Council meeting and executive session of March 24, 2014; and Town Hall meeting of March 31, 2014;
- B. Authorization for administrative approval of OLCC license renewals;
- C. Mayoral Appointment of Evonne Mochon Collura to the Library Board for a term expiring December 31, 2014;
- D. Approval of special event permit fee waiver requests for:
  - 1. Newport Marathon; and
  - 2. Loyalty Days.
- E. Excused absence for the City Manager from the September 15, 2014 City Council meeting.

Allen asked that the administrative approval of OLCC license renewals be removed from the consent calendar.

Allen asked that the special event fee waiver requests for Loyalty Days and the Newport Marathon be considered as action items.

Beemer talked about the importance of fundraising by the Boosters Club and its impact on high school sports.

MOTION was made by Beemer, seconded by Swanson, to approve the consent calendar with the changes to the minutes as noted by Allen. The motion carried unanimously in a voice vote.

## PUBLIC HEARING

Public Comment and Possible Action on the Adoption of Ordinance No. 2063 - Moratorium on Medical Marijuana Dispensaries. Hawker introduced the agenda item. Nebel reported that at the March 17, 2014 City Council meeting, the City Attorney and staff were directed to develop an ordinance to enact a moratorium on medical marijuana dispensaries, under the provisions of SB1531, for consideration at the April 7, 2014 City Council meeting.

Nebel noted that SB1531 was approved by the state legislature and Governor, and provides that a city or county may adopt ordinances that impose reasonable regulations on the operations of medical marijuana dispensaries that are registered or applying for registration under ORS 475.314(12). He added that these regulations include hours of operation, reasonable limitations on where medical marijuana dispensaries may be

located within a city, and reasonable conditions on the manner in which the medical marijuana dispensaries may dispense medical marijuana.

Nebel noted that SB1531 allows the governing body of a city to adopt an ordinance enacting a moratorium on the operation of medical marijuana dispensaries through May 1, 2015, to allow time for evaluating potential regulatory options, if the moratorium is enacted no later than May 1, 2014. He reported that prior to March 3, 2014, the city had received two applications for business licenses for medical marijuana dispensaries. He noted that, in both cases, business licenses were inadvertently issued by the Finance Department. He added that after this was discovered, notices were sent to both applicants that the licenses they received prior to the legalization of medical marijuana dispensaries were invalid and that no medical marijuana dispensaries have been authorized in the city. Nebel noted that the regulatory environment in dealing with medical marijuana dispensaries has been a constantly evolving process which certainly has created confusion at the local and state levels and private entrepreneurs wishing to enter this market. He stated that there are a number of new options that cities can consider in the regulation of medical marijuana dispensaries. He added that in order to allow for adequate time to evaluate these new regulatory tools, cities may enact a moratorium on the licensing of medical marijuana dispensaries within their jurisdictions. He added that for those businesses that have registered their medical marijuana dispensaries with the state, the act would allow the proposed dispensary to surrender registration under this subsection if a moratorium is imposed. He noted that it also provides that the state authority may refund any fee imposed pursuant to ORS 475.314(12).

He recommended referring the matter to the Planning Commission for further review. He noted that this would give the City Council and staff adequate time to review changes in state law to consider what local controls may be appropriate for the city to impose. He added that the City Council could suspend a moratorium at any point prior to May 1, 2015, at the conclusion of the review of any local regulations, although it is likely that the review of the regulatory standards would take three to six months to complete.

Nebel noted that Ordinance No. 2063 prevents the operation of any medical marijuana dispensaries through May 1, 2015, unless rescinded sooner. He stated that the ordinance authorizes the City Manager to implement reasonable policies and procedures and ratifies previous actions taken in regard to medical marijuana dispensaries in the city. He noted that as an emergency ordinance, it will become effective immediately upon adoption.

Nebel reported that he has included a number of communications received regarding the moratorium in the packet.

Nebel recommended that the Council hear public comment.

Roumagoux called for public comment.

Kyle Lowe and Bill Wren appeared before Council and discouraged Council from enacting a moratorium on medical marijuana dispensaries.

Carla Williams appeared before Council and discouraged Council from enacting a moratorium on medical marijuana dispensaries.

Jim Wakefield appeared before Council and discouraged Council from enacting a moratorium on medical marijuana dispensaries. He added that he would like to participate in the review of potential city regulations affecting medical marijuana dispensaries.

Roumagoux called for Council deliberation on Ordinance No. 2063.

Allen asked whether Wakefield wanted to be at the table during medical marijuana dispensary discussions. Nebel noted that that is his understanding. Allen added that the moratorium will not impact a patient's ability to buy medical marijuana in the manner in which they have been purchasing it.

Roumagoux asked about the timeframe for city review of the issue, and Nebel noted that the length of time would depend on the number of hearings on the matter.

Busby stated that he would prefer the issue be handled in three months rather than six months. He suggested that, in the planning process, staff also consider recreational marijuana usage in the overview.

Beemer agreed with Busby. He added that he is convinced that it is a medical necessity for some patients. He noted that he is reluctant to vote against the moratorium, and asked that regulations be reviewed as soon as possible. Swanson and Sawyer agreed with Beemer and Busby.

MOTION was made by Allen, seconded by Beemer, that Ordinance No. 2063, an ordinance declaring a moratorium on medical marijuana dispensaries and declaring an emergency, be read by title only and placed for final passage. The motion carried unanimously in a voice vote. Hawker read the title of Ordinance No. 2063. Voting aye on the adoption of Ordinance No. 2063 were Sawyer, Saelens, Swanson, Roumagoux, Busby, Beemer, and Allen.

MOTION was made by Allen, seconded by Beemer, that the Planning Commission be requested to review the regulatory options provided by SB1531 in the local regulation of medical marijuana dispensaries along with interested parties as noted at tonight's City Council meeting, and that the City Attorney and City Manager review any local taxation issues for medical marijuana. The motion carried unanimously in voice vote.

Allen suggested that interested parties communicate with the City Manager.

## CITY MANAGER REPORT

### **Consideration of Resolution No. 3665 - Curbside Compostables Collection Program.**

Hawker introduced the agenda item. Nebel reported that at the March 17, 2014 City Council meeting, the Council voted unanimously to authorize the establishment of a curbside compostables collection program in accordance with section 9 of the solid waste franchise agreement with Thompson's Sanitary Service, Inc., with a limited opt-out for customers electing to use a 24-gallon weekly roll cart for household garbage. He noted that the rates for all customers, except those using the 24-gallon weekly roll cart, would be increased by \$6.59 per month at the initiation of the service. Nebel reported that since first approved, various adjustments have been made to the resolution to incorporate thoughts and ideas outlined at the March 17, 2014 Council meeting. He noted that the resolution has also been reviewed by Thompson's Sanitary Service, Inc., and has been forwarded to City Attorney, Rob Connell, for his review, and he had no recommended changes.

Nebel reported that, based on the comments made regarding the addition of the separate collection of compostable waste, the final plan provides that customers utilizing a 24-gallon weekly roll cart service have the option of not participating in the curbside compostables collection program. He added that this will help address many of the comments received by the City Council from customers who indicated that they had very

little garbage, and their solid waste did not justify having a third container for compostable materials. Nebel stated that customers who elect to use a 24-gallon weekly roll cart, without the collection of compostable materials, will pay \$19.50 per month, and if a customer chooses to use a 24-gallon weekly roll cart service, with the separate compostables container, they will be billed \$25.74 per month.

Nebel stated that he believes that with the extensive public discussions regarding this program, along with the willingness of Thompson's Sanitary Service to modify the program to address a number of the concerns expressed for the curbside collection of compostable household waste, a significantly better service has been developed that will be introduced later in 2014. He added that this service will meet the City Council's goal to divert compostable waste from landfills so that these materials can be utilized to generate compost and preserve valuable space in the landfills.

Nebel reported that he has included a letter from Cathie Rhoades, with DEQ, indicating that Lincoln County will qualify for a two percent credit for the addition of the Newport residential composting program.

Nebel recommended that Council adopt Resolution No. 3665.

Busby asked the meaning of the two percent credit. Saelens reported that DEQ receives an annual report from haulers to determine recovery rate, and that the compost rebate is applied on top of the annual recovery rate.

Allen noted that Ken Riley and Rob Thompson were in attendance and asked them to speak to the Free Compost Day that will be held as a part of the Earth Day celebrations.

Roumagoux asked for Council deliberation. MOTION was made by Swanson, seconded by Allen, that the City Council adopt Resolution No 3665 authorizing the establishment of a residential compostables collection program for the City of Newport. The motion carried unanimously in a voice vote.

**Consideration of Resolution No. 3668 - Authorizing a CWSRF Loan Agreement for the Agate Beach Wastewater Improvements.** Hawker introduced the agenda item. Nebel reported that Gross has been working with Interim Finance Director Bob Gazewood to explore options for financing wastewater projects for the city. He added that after evaluating a number of options, the best option for financing wastewater improvements in the Agate Beach area was through the Oregon Department of Environmental Quality through the Clean Water State Revolving Fund (CWSRF). He stated that the Oregon Department of Environmental Quality has offered a loan agreement to the city in the amount of \$8,906,800 for the Agate Beach Wastewater Collection System. He added that the interest rate on this loan will be 2.54% per year. Nebel reported that the work will include a number of projects including the Big Creek Force Main, Big Creek Pump Station, the 48<sup>th</sup> Street Pump Station and force main, the Schooner Creek Pump Station and force main, as well as various portions of gravity sewer downstream of the force mains. Nebel noted that the loan agreement has been reviewed by both legal counsel and the city's Finance Department. He stated that one advantage of the SRF program is that repayment is not required to begin until six months after the project is completed. He noted that the program funds are dispersed to the city based on quarterly reimbursement for work completed on the eligible projects. He added that until the project is completed the city only pays interest on the disbursed funds, and that the city does not begin paying principal until all the projects have been completed.

Nebel noted that Gross has done an excellent job of pulling these projects together to address long-standing issues with the sanitary sewer system in the Agate Beach area. He added that this program will save water and sewer rate-payers a significant amount of money during the development and construction of these projects through the life of these bonds. Nebel recommended Council adopt Resolution No. 3668.

MOTION was made by Beemer, seconded by Saelens, to adopt Resolution No. 3668, authorizing a Clean Water State Revolving Fund (CWSRF) loan agreement with the Oregon Department of Environmental Quality for Agate Beach Wastewater Improvements, in the amount of \$8,906,800. The motion carried unanimously in a voice vote.

**Approval of Oregon Water Resources Department Grant Award - Big Creek Dams #1 and #2 Seismic Stability and Retrofit Feasibility Study.** Hawker introduced the agenda item. Nebel reported that Gross has been working with Chase Park Grants and the Oregon Water Resource Department (OWRD) to secure funding for continuation of the seismic stability and retrofit feasibility study on the Big Creek Dams. He noted that the application submitted, on behalf of the city, was awarded a score of "84" which was the highest score of all applicants in this funding round. He added that on March 10, 2014, the city received notification from OWRD that the city was awarded the grant for the full amount of \$250,000 to continue this evaluation.

Nebel reported that this work was initiated following the city's construction of a new water treatment facility when it was discovered, as part of that project, that the soils under the Big Creek Dam #1 were unstable and have the potential for seismic failure. He added that a preliminary study was conducted showing that both dam structures were at significant risk of failure during even a moderate seismic event. He stated that the Oregon Water Resource Department Dam Safety Division has evaluated the Big Creek Dams as the second and third most critical dam structures in Oregon. Nebel noted that in 2014, the city selected an engineer of record for dam study and design with a task order being issued in October of 2013 for phase 1 of a feasibility study. He stated that the addition of the \$250,000 grant will fund the remainder of the phase 1 study, and that OWRD is allowing previous expenditures on the phase 1 study to count as a match for this grant. Nebel recommended Council approval of the grant award.

MOTION was made by Sawyer, seconded by Beemer, that the Mayor be authorized to execute an agreement with the Oregon Water Resource Department for the Water Conservation, Reuse and Storage Grant Program, in the amount of \$250,000, for the Big Creek Dams # 1 and # 2 Seismic Stability and Retrofit Feasibility Study. The motion carried unanimously in a voice vote.

**Approval of Amendment No. 2 to ODOT Local Agency Flexible Funds Program Agreement for the Highway 101 Pedestrian Crossing Improvements Project.** Hawker introduced the agenda item. Nebel reported that at the March 17, 2014 City Council meeting, the Council approved a right-of-way agreement with ODOT to move the Highway 101 Pedestrian Improvements Project forward based on a commitment of additional state funding to complete the project. He noted that earlier the City Council had increased its contribution to this project by \$150,000 in order to keep this project alive. He stated that the project will improve crosswalks on US 101 at NW 15<sup>th</sup> Street, NE 10<sup>th</sup> Street, NW 3<sup>rd</sup> Street, SW Angle Street, SW Lee Street, SW Alder Street, SW

Abbey Street, and SE Bayley Street, and that a crosswalk at SW Neff Way will be removed. Nebel noted that the improvements vary on each of these intersections, but the projects may include one or more elements of curb extensions, pedestrian islands, pedestrian warning signs, and striping. He added that as part of this amendment, the ODOT Bike and Pedestrian Program has agreed to contribute an additional \$250,000 in order to meet the current estimated project costs, and that it is anticipated that the project will be bid on November 20, 2014. Nebel recommended that Council approve the agreement. Allen stated that, as noted at previous meetings, there is no guarantee that there will not be additional costs. Nebel added that this is correct, but that staff has a higher level of confidence. Gross reported that staff is meeting with ODOT weekly, and with the regular communication, do not expect any surprises throughout the rest of the project.

MOTION was made by Allen, seconded by Beemer, to approve amendment No. 2 to the ODOT Local Agency Flexible Funds Program Agreement No. 28487 for the Highway 101 Pedestrian Improvements Project and authorize the Mayor and City Manager to sign the agreement on behalf of the City of Newport. The motion carried unanimously in a voice vote.

**Initiation of Street Vacation for Portions of SW 31<sup>st</sup> Street, SW 32<sup>nd</sup> Street, SW 33<sup>rd</sup> Street, SW Coho Street, SW Brant Street, SW Abalone Street, and SW Anchor Way.**

Hawker introduced the agenda item. Nebel reported that Tokos, has been working with the Oregon Museum of Science and Industry (OMSI), Investors XII, LLC, and Dick Murry (Toby Murry Motors) Properties to reconfigure road right-of-way adjoining various properties to facilitate the overall development of property and infrastructure within this area. He noted that much of the land impacted by possible street vacations and the re-designation of new rights-of-way in this area was part of Waggoner's Addition to South Beach which was platted in 1892.

Nebel reported that there are a number of important considerations that the City Council needs to make in determining whether to initiate these vacations. He stated that in 2008, the City Council adopted policies to govern Council-initiated street vacations. He added that these policies require consideration of the extent the vacation would benefit the public, the extent of current and future use of the right-of-way, environmental and geological impacts, financial factors, effect on other property owners, consistency with applicable plans and quality of information available in order to proceed with vacation. He noted that Tokos' staff report contains an evaluation of how this request fits within these guidelines. He stated that he concurs with Tokos that this analysis indicates that the rationale for the Council to initiate these vacations is meant for this comprehensive project.

Nebel reported that the various exchanges will facilitate the development of signalized intersection at SW 35<sup>th</sup> Street and Highway 101 to improve the safety and flow of traffic to various properties and attractions. He added that this is a very ambitious public and private endeavor that will help reshape the area surrounding Highway 101 in South Beach. He recommended approval of the street vacations.

MOTION was made by Beemer, seconded by Saelens, to initiate street vacation proceedings for portions of SW 35<sup>th</sup> Street, SW 32<sup>nd</sup> Street, SW 33<sup>rd</sup> Street, SW Coho Street, SW Brant Street, SW Abalone Street and SW Anchor Way, as identified in the report from Community Development Director Derrick Tokos with public hearings

scheduled to coincide with the hearing process for the subdivision plat that will reconfigure the SW 30<sup>th</sup> Street, SW 35<sup>th</sup> Street, and SW Abalone Street rights-of-way for future street and infrastructure improvements. The motion carried unanimously in a voice vote.

**Status Report on the Preparation of the 2014/2015 Fiscal Year Budget.** Hawker introduced the agenda item. Nebel reported that he and Interim Finance Director Bob Gazewood continue to work on developing the proposed budget for the fiscal year that will begin July 1, 2014. He reported that they have collected the various requests for operational and capital outlay expenditures from the city's departments. He stated that this information has been compiled by the Finance Department staff and that the information is being reviewed to develop a proposed budget for the next fiscal year.

Nebel reported that the first Budget Committee meeting is scheduled to be held on Wednesday, April 30, 2014, at 6:00 P.M., with the second meeting to be held on Wednesday May 7, 2014, at 6:00 P.M., and the final meeting is scheduled for Wednesday, May 14, 2014, at 6:00 P.M.

Nebel reported that in evaluating the budget preparation schedule, it was the intent to have the budget printed and delivered to the Budget Committee by Friday, April 18, 2014. He stated that staff will likely need a few more days to complete the budget, and he proposed a revised budget delivery date of Thursday, April 24, 2014. He noted that this will provide the budget to the Budget Committee six days prior to the first Budget Committee meeting and 13 days prior to requesting any preliminary consensus on modifications to the budget. He stated that it is important to have a clean and accurate budget for consideration by the Budget Committee, and this additional time will help to assure this end result.

Nebel reported that Budget Committee member, Don Huster, has indicated that he is unable to meet on Wednesday evenings. He stated that if the Budget Committee schedule remains on Wednesdays, Huster is requesting that he be excused from meetings. Nebel noted that he would provide Huster with a copy of the budget document, and that Huster may provide comments on the proposed budget.

**Fee Waivers for Loyalty Days and Newport Marathon.** Allen noted that the reason he wanted to remove these items from the consent calendar, and make them action items, is that this is new. Nebel reported that the organizers of these two events have never paid fees. He added that the Marathon fee waiver has been approved administratively, and that the fees for Loyalty Days were waived. He added that staff is meeting to determine potential changes to the special event fee waiver policies, and that his current recommendation is to waive the fees for these two requests as has been done in the past.

MOTION was made by Allen, seconded by Beemer, to approve the special event permit request from the Newport Marathon, in the amount of \$2,925, for its event to occur on May 31, 2014, as the event complies with special event permit criteria and guidelines, and to transfer \$2,925 from the Transient Room Tax Fund to the General Fund to reimburse the Police and Public Works Department. The motion carried unanimously in a voice vote.

MOTION was made by Allen, seconded by Sawyer, to approve the fee waiver requested by the Newport Loyalty Days and Sea Fair Festival Association, Inc., in the

full amount of \$6,155, as the Newport Loyalty Days and Sea Fair Festival Association, Inc., is a non-profit entity. The motion carried unanimously in a voice vote.

**Authorization for Administrative Approval of OLCC License Renewals.** Allen noted that last year, the Police Chief had concerns with three OLCC licensees, and he agreed to have continuing discussions with those establishments (Apollo's, Sandbar, and Moby Dick's). Allen asked how those discussions are going. Nebel reported that it is his understanding that a meeting was held, and he will bring a report back to Council. MOTION was made by Allen, seconded by Beemer, to proceed with the administrative approval of OLCC license renewals. The motion carried unanimously in a voice vote.

## LOCAL CONTRACT REVIEW BOARD

Council convened as the Local Contract Review Board at 7:33 P.M. In attendance were Sawyer, Saelens, Swanson, Roumagoux, Busby, Beemer, and Allen.

**Approval of Amendment No. 2 to Task Order No. 9 for Brown and Caldwell, Inc. for Construction Engineering Services for the Big Creek Pump Station Force Main Project.** Hawker introduced the agenda item. Nebel reported that the city has entered into an engineering services agreement dated, April 12, 2010, with Brown and Caldwell, Inc. for various services related to the city's wastewater system for activities relating to the bidding and engineering services during the construction of the new force main on NW Oceanview Drive and NW Nye Street. He stated that the cost for the construction phase engineering services included in this authorization would be \$68,308. He recommended that Council, acting the Local Contract Review Board, approve Amendment No. 2 to Task Order No. 9 for Brown and Caldwell, Inc.

MOTION was made by Sawyer, seconded by Beemer, that the City Council, acting as the Local Contract Review Board, authorize the City Manager to execute Amendment No. 2 to Task Order No. 9 with Brown and Caldwell, Inc. for construction phase engineering services related to the Big Creek Pump Station Force Main Project in an amount not to exceed \$68,308. The motion carried unanimously in a voice vote.

**Notice of Intent to Award the Big Creek Pump Station Force Main Project.** Nebel reported that on Tuesday, April 1, 2014, six bids were received for the construction of a force main that will be constructed beginning at the Agate Beach Wayside and extending south along Oceanview Drive to NW Nye Street and ending at NW 12<sup>th</sup> Street. He stated that this project is a prerequisite to allow for the replacement of the pump station located at Agate Beach Wayside Station. He noted that this project will substantially increase the capacity that will be required with a new pump station to handle wastewater and eliminate overflows into Big Creek. He added that the engineers estimate for the base bid was \$1,678,374, and that the bids received range from a low of \$1,291,188.75 to a high of \$1,934,584 for this work. Nebel noted that the city has scheduled an open house for the public to review this project on April 9, 2014, at City Hall, between the hours of 5:30 and 7:00 P.M. He stated that property owners along the route have been notified of this meeting, and construction is expected to start sometime around the end of this month and continue for four months. He recommended that the

City Council acting as the Local Contract Review Board approve the intent to award the Big Creek Pump Station Force Main Project.

MOTION was made by Sawyer, seconded by Saelens, that the City Council, acting as the Local Contract Review Board, authorize the City of Newport Public Works Department to issue a Notice of Intent to Award the Big Creek Pump Station Force Main Project to K&E Excavating in the amount of \$1,291,188.75; and authorize the City Manager to execute the contract after seven days on behalf of the City of Newport contingent upon no protest related to the bidding and approval of the bid documents by the Oregon Department of Environmental Quality. The motion carried unanimously in a voice vote.

## **CITY COUNCIL MEETING**

Council returned to its regular meeting.

### **REPORT FROM THE MAYOR AND COUNCIL**

Roumagoux reported that she had attended the Visual Arts Center birthday party on March 26.

Roumagoux reported that she attended a candidate forum on March 27.

Roumagoux reported that she met with Depoe Bay Mayor, A. J. Mattila on March 28 and took a tour of the City Hall and the harbor dredging project.

Roumagoux reported that she attended the Newport Symphony performance when the new sound system debuted.

Roumagoux reported that she met with Nancy Steuber and Erin Graham, from OMSI, on April 4, for an update on the OMSI Camp. She noted that Nancy Steinberg had been hired as the community liaison for this project.

Roumagoux reported that she has been asked to serve on the OCCC budget committee.

Roumagoux reported that she had received a call from Fritz Graham, of Senator Wyden's office, regarding the Coast Guard, and that she had referred Graham to Nebel.

Sawyer thanked Roumagoux for acknowledging the two young people who were killed in traffic accidents this weekend. He reported that OSP Trooper Fitch is recovering, and that donations for his family will be accepted on the OSP website. He added that another website will be established for donations to the family of Ms. Osborn.

Saelens reported that the joint meeting of the Parks and Recreation Advisory Committee and the Bicycle/Pedestrian Advisory Committee went well. He added that the recently scheduled Wayfinding Committee meeting had been cancelled due to lack of a quorum.

Swanson reported that the Town Hall meeting regarding the Library plans had gone well. She added that the Senior Center Advisory Committee will not be meeting this month.

Busby reported that the business license group continues to move forward and will complete its mission. He added that the next meeting is on April 25, and the group is trying to correct weaknesses in the existing ordinance. Allen inquired as to whether the meetings were being noticed.

Busby reported that the Airport Committee is meeting tomorrow. He added that a runway construction project open house had been held and that construction will begin next month.

Busby reported that the Public Arts Committee had met and the placement of the sculpture on city property is moving forward. He added that the group determined that Percent for the Arts money associated with the construction of a new municipal swimming pool is actually one percent of construction costs.

Busby reiterated that the PAC sound system is remarkable.

Beemer reported that the Booster's auction will be held Saturday.

Beemer reported that Marine Science Day will also be held on Saturday.

Allen reported that he had attended the VAC birthday party, and that it was a nice crowd and a nice day.

Allen reported that he attended a recent YBEF meeting, as he is a private member of the group, and that Nebel had attended on behalf of the city.

Allen reported that the OCZMA quarterly meeting will be held in Newport this week.

Allen reported that Ocean Power Technology will not be moving forward with its wave energy project and will be moving out of state waters.

Allen reported that the 25<sup>th</sup> birthday celebration of COMES will be held Friday, and that an advisory board meeting and reception will be held at the Maritime Museum.

Allen reported that Marine Science Day will be held on April 12 at the Hatfield Marine Science Center.

## ADJOURNMENT

Having no further business, the meeting adjourned at 7:50 P.M.

---

Margaret M. Hawker, City Recorder

---

Sandra N. Roumagoux, Mayor





# **OREGON COAST COUNCIL FOR THE ARTS**

## **CONTRACT FOR SERVICES FY 2012-2013**

**MANAGEMENT OF THE  
NEWPORT PERFORMING ARTS CENTER  
AND  
NEWPORT VISUAL ARTS CENTER**

**REPORT TO CITY COUNCIL  
APRIL 2014**



## Mission

The Oregon Coast Council for the Arts (OCCA) promotes and provides high-caliber arts experiences on the Oregon coast. As a 501(c)(3) non-profit arts organization in existence for 37 years, we are recognized by the National Endowment for the Arts, Americans for the Arts, Arts Northwest, the Oregon Arts Commission, the Oregon Cultural Trust, Nonprofit Association of Oregon, and a multitude of regional, state-wide, and local arts organizations and agencies.



**OREGON COAST  
COUNCIL FOR THE ARTS**

### CONTACT OCCA

**541-265-ARTS [2787]**

Website: [coastarts.org](http://coastarts.org)

[occa@coastarts.org](mailto:occa@coastarts.org)

777 W. Olive Street, Newport

## OCCA & City Partnership

Through the years there has been an excellent partnership between the City of Newport and the OCCA. However, management of the PAC & VAC costs more than the contract monies provided by the City of Newport. Therefore, OCCA, through earned and contributed income, makes up the difference.

## CITY/OCCA CONTRACT FOR FY 2012-13

**City contract for services = \$112,500**

*(52% of actual costs)*

**OCCA additional funds = \$106,641**

*(48% of actual costs)*

**PAC/VAC management costs = \$219,141**

## RETURN ON INVESTMENT (ROI)

**In FY 2012-13, OCCA leveraged  
over \$790,790**

**in economic impact/cultural tourism  
with the \$112,500 City Contract.**

**This represents approx.**

**700% return on investment.**

*(See economic impact details on pages 4 & 5)*

## Management

In addition to the management contract with the City of Newport, OCCA is recognized by the Oregon Arts Commission as the Regional Arts Council for the 363 miles of the Oregon coast. To that end, it provides technical services and training to arts, heritage and humanities organizations and artists in Clatsop, Tillamook, Lincoln, Coos and Curry counties and coastal towns in Lane and Douglas counties.

## Buildings Background

The Oregon Coast Council for the Arts (OCCA) has managed the Newport Performing Art Center (PAC) since September 17, 1988 when it opened.

OCCA took an active role in the PAC project even before it was constructed. During 1985 to 1988 OCCA raised funds, wrote grants and contributed \$600,000 toward the \$1.7 million cost to construct the PAC and outfit the building in the form of grand drapes, acoustic clouds, stage rigging and more. During the remodel and expansion in 2002 and 2003, OCCA again participated and contributed \$122,700 *(additional PAC upgrades are noted on pages 6 and 7)*.



OCCA has managed the Newport Visual Arts Center (VAC) since 1994. Before the VAC opened in December 1983, OCCA raised \$7,500 to purchase art pieces – wooden entry doors, sandblasted windows and the concrete sculpture retaining walls. OCCA has presented art exhibits in the Runyan Gallery since 1983. *(additional VAC upgrades are noted on page 7)*.



## OCCA Management Team

OCCA provides a trained and dedicated management team in both buildings. Some staff have been with the PAC since it opened in 1988, while others are relatively new. The VAC assistant has held her position for 14 years. The management team's experience totals over 94 years.

To promote Newport and the PAC & VAC, and to drive tourists and locals to the buildings, the Oregon Coast Council for the Arts (OCCA) advertises and markets on local, coastal, state-wide, regional and national levels through digital, social media, print, radio, video, and other marketing channels.

In this current pluralistic society people receive their information through a variety of means. The plethora of marketing channels is challenging for a nonprofit organization to cover; however, OCCA uses its limited funds carefully to publicize the VAC & PAC.

OCCA recognizes that in an always-open, always-connected 21st-century marketplace, digital and social media are vital for people of all generations.

Recently, OCCA completed a complete re-design of its website, with the help of grants. As the “go-to source for arts information on the coast,” the visitor-oriented website drives traffic to the VAC & PAC.



- OCCA Website – coastarts.org**
- Mobile/Device – m.coastarts.org**
- oregoncoastjazzparty.org**

*This mini-site is maintained within the OCCA site.*

- OCCA website – PAC/VAC Focus**
  - Home page primary navigation
  - Home page sidebar of upcoming events
  - Separate PAC and VAC pages with description, mapping and events
  - QR codes on advertising directs viewers to Events calendar



- Digital Advertising**
  - visittheoregoncoast.com
  - Oregon Coast Today
  - Newport News-Times
  - Downbeat.com
  - JazzTimes.com
  - JazzNow! Seattle
  - Jazz Society of Oregon Jazz Scene

- Digital Presence (Partial List)**
  - discovernewport.com
  - coastvisitor.com
  - travelnewport.com
  - culturaltrust.org
  - oregonartscommission.org
  - oregoncoastdailynews.com

**Facebook**

- /OregonCoastArts
- /NewportPerformingArts
- /NewportVisualArts
- /OregonCoastJazz



**Twitter**

- #OregonCoastArts
- #Oregon\_Jazz



**YouTube Channels**

- /OregonCoastArts
- /JazzatNewport



Print marketing channels are still viable means of reaching arts patrons and travelers. OCCA commits to paid and complimentary advertising.

**Local, Paid = 192**

- News-Times twice-weekly (104)
- Oregon Coast Today weekly (52)
- OCCA Newsletter bi-monthly (6)
- Pacific Shores Motorcoach Resort brochure (1)
- Newport Chamber map (1)
- VAC exhibition flyers, postcards (28)

**Coastal/State/Regional, Paid**

- Oregon Coast Magazine Mile-by-Mile Guide
- Discover Newport Chamber Guide
- Travel Newport – News-Times travel guide
- Via - (AAA Travel Guide Oregon)
- Western Journeys (AAA Washington)
- Newport RV Guide
- Sunset Magazine (Oregon)
- Newport Beach Jazz Festival (CA)
- Portland Jazz Festival



**National, Paid**

- DownBeat
- JazzTimes
- Sunset Travel Guide



**Monthly E-Newsletter = 12**

- Monthly to members
- Includes VAC & PAC



**Met Opera Events = 12**

- Coincide with season dates at PAC

**National Theatre Events = 6**

- Coincide with season dates at PAC

**Oregon Coast Jazz Party = 6-8**

- PAC and Shilo are venues

**Arts Talk = 52**

- Weekly, by OCCA Executive Director
- County-wide arts and culture topics
- 619 news items (many related to VAC & PAC), 63 interviews with 89 guests
- KNPT, KBCH, KWDP, podcast, live stream

**Radio Advertising, Paid**

- **Oregon Coast Jazz Party:** KMHD (NPR – Portland), KLCC (NPR - Eugene), KCUP/Boss, KNPT, KBCH, U92, KYTE, KCRF, KWDP

**Video, Paid**

- “Visit Newport, Oregon - Pacific Coast Wonderland!” DVD – In 2012 and 2013, when the Port of Newport and the Chamber were creating a Newport DVD directed at visitors, OCCA partnered with the Chamber and helped pay for an arts section featuring the PAC and VAC, as well as other arts venues in town.
- **Oregon Coast Jazz Party** – video productions of live performances at the 2012 event

**In County’s Best**

- “Best Live Theater” (PAC) and “Best Art Gallery” (VAC)



**Director’s Regional Presentations**

- Highlight PAC & VAC
- Highlight City of Newport



The Newport Performing Arts Center (PAC) plays many roles.

**The Newport Performing Arts Center (PAC) plays many roles in the lives of the people who use it:**

- a performance venue
- a community gathering place
- a creative incubator (music, dance, drama, film, costume)
- a rehearsal & classroom space
- a youth learning laboratory (staging, lights, sound)
- a construction collaborative (set designs)
- a “home” for the PAC RATs (PAC Resident Artist Teams)
- a fulfillment center (box office, event and tourist information)
- houses the OCCA administrative office

The PAC is the **only building on the Oregon coast** conceived, designed, built and managed in a public/private partnership, with urban renewal funds, to be a **performing arts center**. The PAC is not a repurposed, rehabilitated structure, such as a former church, school, retail store, community building, industrial warehouse, movie theatre, or anything else. It was and is a product of intentional community support of the performing arts.

- Our PAC is one of only 8 venues in Oregon to feature Met Opera Live in HD events.
- Our PAC is one of only 2 venues in Oregon to feature National Theatre Live in HD events.

**STAFF SERVICE: BOX OFFICE**

**1,976 HOURS + 195 AFTER HOURS**  
9am-5pm Mon-Fri  
52 Weeks

**Event Info and Tickets Sales Available 24/7 By Phone & Online**

**STAFF SERVICE: PUBLIC CONTACTS**

Event & Tourism Info  
**3,795 CALLS**  
**8,520 IN-PERSON**  
Social Media Contacts  
Email Inquiries

**VISITOR CENTER SERVICES**

**NYE BEACH, CITY, REGIONAL**  
Certified brochure racks in foyer & visitor questions to box office

**STAFF SERVICE: BOOKING**

**9AM-5PM DAILY**  
Staff on hand to answer questions and facilitate booking  
**2,080 HOURS**

**STAFF SERVICE: CONCESSIONS**

**370 HOURS**  
Supplies, Preparation, Facilitation

**Three Theater Companies**

- Coastal Act Productions
- Porthole Players Ltd
- Red Octopus Theatre Co.



**Three Dance Companies**

- Oregon Coast Ballet Co.
- Pacific Dance Ensemble
- TJ Hoofers, Inc.



**Two Choral Companies**

- Central Coast Chorale
- Oregon Coastals



**Other Teams**

- International Film Series
- Newport Symphony Orchestra
- Oregon Music Teachers Association



**PERFORMING ARTS CENTER USAGE**  
**350 Days Per Year**

**RESIDENT ARTIST TEAMS FY 2012-13**

- 25% Tourists
- 96 Performances
- 11,995 Attendance

**Economic Impact = \$410,863**

Sources: PAC box office ticket data, Newport Chamber multiplier

**OREGON COAST JAZZ PARTY FY 2012-13**

- 60% Tourists
- 7 Sessions
- 1,853 Attendance

**Economic Impact = \$192,381**

Sources: PAC box office ticket data, order forms, OCJP surveys, Newport Chamber multiplier

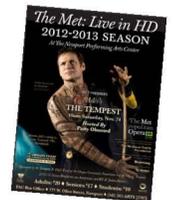


**MET OPERA / NATIONAL THEATRE FY 2012-13**

- 25% Tourists
- 18 Events
- 1,364 Attendance

**Economic Impact = \$46,717**

Sources: PAC box office ticket data, Newport Chamber multiplier



**TOTAL IMPACT FY 2012-13**  
**TICKETED EVENTS**  
**\$649,961**

*Excluding Ticket Sales*



The Newport Visual Arts Center (VAC) highlights many media.

**The Newport Visual Arts Center (VAC) communicates through many “media” to people of this area:**

- a visual arts venue
- exhibition space
- visual arts learning classroom
- a community gathering space
- a “home” for two arts groups
- an informational outlet (tourist & local)
- a staff office

The VAC is the **only building on the Oregon coast** conceived, designed, built and managed in a public/private partnership, with urban renewal funds, to be a **visual arts center**. The VAC is not a repurposed, rehabilitated structure, such as a former community building, school, retail store, church, industrial warehouse, or anything else. It was and is a product of intentional community support of the visual arts.

The Oregon Coast Council for the Arts (OCCA) hosts the yearly Newport Paper Arts Festival and creates the exhibits in the three exhibition spaces that provide economic impact to Newport and the coast.

**STAFF SERVICE:  
PUBLIC CONTACTS**

Event & Tourism Info  
Includes Weekdays  
and Weekends  
**2,130 CALLS**  
**2,810 IN-PERSON**  
Social Media Contacts  
Email Inquiries

**STAFF SERVICE:  
BOOKING**

**RENTAL AGENT FOR  
CITY OF NEWPORT**  
Birthdays, weddings,  
anniversaries, church  
services, reunions,  
family gatherings,  
workshops, etc.

**171 RENTALS**  
**2,480 CUSTOMERS**  
**RENTAL  
INCOME:  
\$10,150**  
**425 STAFF HOURS**

**STAFF SERVICE:  
EXHIBITIONS**

**3,872 HOURS**  
With Coastal Arts Guild  
Seasonal Hours:  
11am-5pm / 11am-6pm,  
12-4pm Tue-Sat

**VISITOR CENTER  
SERVICES**

**NYE BEACH, CITY**  
Docents and staff  
handle questions from  
visitors in Runyan and  
Upstairs Gallery

**Three Galleries**

- Runyan Gallery
- Upstairs Gallery
- Coastal Oregon Visual Artists Showcase

**Two Artist Groups**

- Yaquina Art Association
- Coastal Arts Guild



**28 Exhibitions**

- Monthly or Bi-Monthly
- Exhibition Receptions

**Newport Paper Arts Festival**

**Classes & Workshops**



**VISUAL ARTS CENTER USAGE  
350 Days Per Year**

**NEWPORT PAPER ARTS FESTIVAL FY 2012-13**

- 62% Tourists (5 states plus Oregon)
- 18 Workshops,
- 87 Attendance

**Economic Impact = \$29,174**

Sources: Registration forms, Newport Chamber multiplier, Newport Paper Arts Festival surveys



**VAC GALLERIES FY 2012-13**

- 28 Exhibits
- 121 Oregon Towns
- 24 Countries
- 46 States
- 57% Tourists
- 18,589 Attendance

Sources: Guest books, clickers

**Economic Impact =  
\$111,655**

Sources: Guest books, clickers, Newport Chamber multiplier



**TOTAL IMPACT FY 2012-13  
\$140,829**

## Performing Arts Center CONSTRUCTION



OCCA raised funds, wrote grants and contributed \$600,000 toward the \$1.7 million cost to

construct the PAC and outfit the building, in the form of grand drapes, acoustic clouds, stage rigging, and more.

**\$600,000**  
**1985-88**

## PAC STEINWAY GRAND

PAC is one of only a few Oregon venues to have two grand pianos.



**\$125,000**  
**2005**

## PAC HVAC TIMING SYSTEM

OCCA conducted an energy audit and installed the HVAC Timing System at the PAC.

**\$19,000**  
**2005**

### OCCA'S VALUE-ADDED IMPROVEMENTS\* PARTNERSHIP BENEFITS RECAP\*\*

**1990**  
**\$25,000**

**PAC  
BALDWIN  
GRAND**  
OCCA, through local fund-raising, purchased a 9-foot Baldwin concert grand piano.



**2002-03**  
**\$122,700**

## Performing Arts Center REMODEL/EXPANSION

OCCA wrote grants for \$122,700 toward the \$468,800 cost, which included Silverman front row balcony realignment, orchestra pit renovation, side stage alcove retro-fit, ClearCom system, carpet and vinyl in lobby, building signage, sound system upgrade, lobby and Silverman chairs, computerized PAC box office, etc.



**2008**  
**\$14,409**

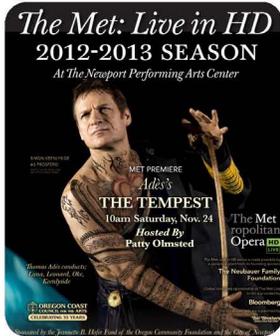
## ENERGY-EFFICIENT LIGHTING AT PAC

OCCA purchased, installed and upgraded energy efficient lighting at the PAC, in partnership with Central Lincoln PUD and Oregon Department of Energy.

\*This layout is not all-inclusive – it is not intended to list *all* improvements that OCCA has contributed to the PAC and VAC.

\*\*This two-page recap shows over the years an OCCA value-added contribution to the VAC and PAC of \$989,609 to date.

## Performing Arts Center HD PROJECTION SYSTEM



OCCA purchased and installed dual HD projectors, dual hard drives, dual satellites, new screen to present live in HD events at the PAC, such as Met Opera, National Theatre London, Broadway plays, and Great Art on Screen.



**\$30,000**  
**2009**

## OCCA NEW WEBSITE LAUNCH

OCCA launches new coastarts.org website. As the “go-to source for arts events on the Oregon coast,” this visitor-oriented website drives traffic to the PAC and VAC by design, using a dynamic events calendar, Google mapping, and a mobile interface.



**\$39,000**  
**2012-13**

## OCCA'S VALUE-ADDED IMPROVEMENTS\* PARTNERSHIP BENEFITS RECAP\*\*

**\$989,609**

\*This layout is not all-inclusive – it is not intended to list *all* improvements that OCCA has contributed to the PAC and VAC.

\*\*This two-page recap shows over the years an OCCA value-added contribution to the PAC and VAC of \$989,609 to date.

**2012**  
**\$10,000**

**2013**  
**\$4,500 +**

## Visual Arts Center COVAS SHOWCASE



OCCA constructed the new Coastal Oregon Visual Artists Showcase (COVAS) on the second floor of the VAC. This highlights mid-career, coastal Oregon visual artists from OCCA's seven-county regional arts council area. COVAS now expands the VAC galleries to three, including the Runyan and the Upstairs galleries.

## ONLINE TICKETING & DIGITAL BOX OFFICE

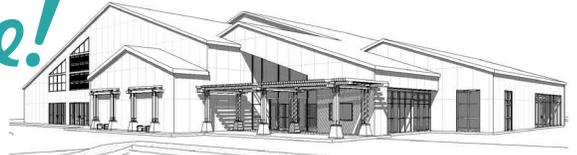
OCCA launched a digital box office that allows online ticketing, which allows tourists and the community to buy event tickets online or through Facebook. The upgrade



allows for Facebook and Twitter connectivity and many features for driving ticket sales.

# Entertain the Future!

A CAPITAL CAMPAIGN TO EXPAND AND ENHANCE THE NEWPORT PERFORMING ARTS CENTER



Consider the financial impact of more than 500,000 people who have attended and participated on the stage of the Newport Performing Arts Center. It also pays Newport back in ways that don't have to do with decimal points and dollars. It has to do with civic health, pride, wisdom and our kids. It delights me so to see the theater camps and dance recitals involving kids. They think they own this place, and of course they do!



– David Ogden Stiers, Actor, Composer, Philanthropist



**What started as a good idea in Newport has grown into an economic and cultural treasure. Demand for the Newport Performing Arts Center continues to grow.**

- The PAC is home to 189 performances a year and 11 resident companies.
- The PAC is used 350 days during the year.
- An average of over 25,979 paid ticket audience members attend annually.
- An average of 6300 students attend or participate in performances annually.

**Over three years of assessment, 1,127 people helped the Oregon Coast Council for the Arts Visioning Committee identify the following needs at the PAC:**

- 1) *Improve and update* existing *sound and lighting* systems;
- 2) *Improve and expand public spaces*, including the lobby, bathrooms and concessions; and
- 3) *Improve the use and flexibility* of the Studio Theater, backstage areas and green room.

**The Capital Campaign to Expand and Enhance the Newport Performing Arts Center will**

- 1) *Better serve the acoustic requirements* of the PAC's diverse performance types;
- 2) *Improve audience experience*;
- 3) *Increase rehearsal and meeting spaces*;
- 4) *Allow simultaneous performances* in both theatres;
- 5) *Increase facility revenue and sustainability*.



Newport's PAC serves as the anchor for arts and culture on the central Oregon coast – a key attribute that makes Newport so much more than one would expect of a town of 10,000. It contributes to our ability to recruit highly educated and talented individuals to live and work in Newport. We routinely include the PAC in our tours to prospective employees. – George Boehlert, former director, Hatfield Marine Science Center



## Growing Up @ the PAC

### ERICA BROOKHYSER

*Opera Singer, Darmstadt Opera House, Germany*

The PAC is a hotbed of dreamers, of adults who are young at heart, of people who are happier on stage than anywhere else. We were so inspired by this environment that we couldn't imagine our lives without the arts. For those of us who chose to become "starving artists," we owe a debt of gratitude to all of the people who are the PAC for always believing in us, our talent, and our dreams.



Scene from "Orpheus"

### NATHAN BALL

*Engineer – MIT, Beat Boxer, TV Host, Pianist, Boston*



Nathan Ball uses a powered ascender

It's of course not just the physical building of the PAC that's significant, but the community around it that makes the PAC such a valuable place for young people to learn and develop important new skills.

### ZANE PIHLSTROM

*Theater Designer – Costumes & Scenery, Thailand*

The Newport Performing Arts Center was the most important element in the development of my teenage years and my future career as a professional theater designer. I benefited from the incredible family of interdisciplinary artists that came together under one roof [who] inspired each other and their community. Through the [PAC] programs I had the opportunity to study fine art, dance, acting, circus and, most importantly, try my hand at theatrical design.



Scenic design for Finnish National Theatre's "Eurydice," Helsinki, February 2013

### MILO GRAAMANS

*Videographer, Pianist, Newport*



The PAC is a wonderful venue that provides countless opportunities both for patrons and performers. Every production I have been involved in at the PAC has opened doors to new opportunities, as well as personal and professional connections.

### AMBER STAR MERKENS

*Dancer, Mark Morris Dance Company, NYC*

I know the Newport Performing Arts Center very intimately, as it was basically my second home growing up! It provided a place for our wildly prolific local dance schools, theater companies and musicians to unleash their talents and create with abandon. It was on the PAC stage that I discovered the magic of live performance, and where I grew to understand that that magic could become my life path.

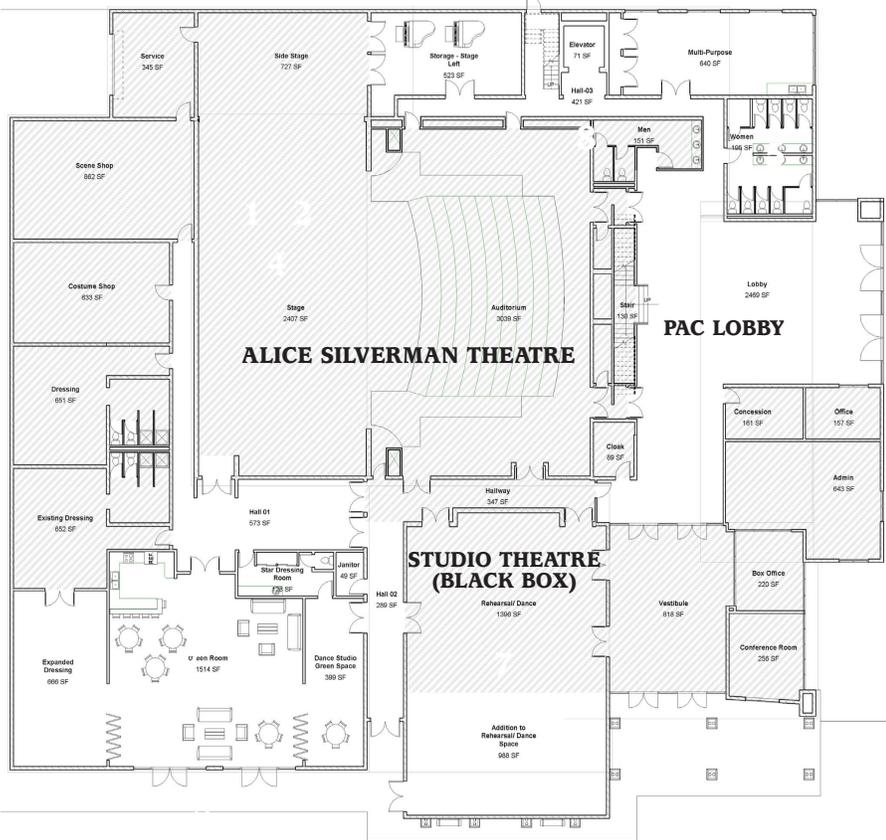


Scene from "Dido and Aeneas," August 2012

# Entertain the Future!

A CAPITAL CAMPAIGN TO EXPAND AND ENHANCE THE NEWPORT PERFORMING ARTS CENTER

## STATE OF THE PROJECT



**\$4.3 MILLION**  
Expanded,  
Enhanced

**2018**  
WEST END EXPANSION  
**\$646,000**  
 COMPLETE

**2016**  
STUDIO THEATRE EXPANSION  
Extra Rehearsal, Dressing, & Green Room Spaces, Parking Lot Expansion  
**\$2,227,000**  
 COMPLETE

**2016**  
PAC LOBBY EXPANSION  
**\$588,000**  
 COMPLETE

**2015**  
RESTROOM EXPANSION  
**\$47,000**  
 COMPLETE

**2014**  
SILVERMAN LIGHTING  
**\$162,000**  
 COMPLETE

**2014**  
SIGNAGE  
**\$53,000**  
 COMPLETE

**2013-14**  
ACOUSTICAL UPGRADE  
**\$355,000**  
 COMPLETE

**2012**  
SOUND SYSTEM  
**\$166,000**  
 COMPLETE

SEED FUNDING  
**\$100,000**

\$4 MILLION  
\$3,750,000  
\$3,500,000  
\$3,250,000  
\$3 MILLION  
\$2,750,000  
\$2,500,000  
\$2,250,000  
\$2 MILLION  
\$1,750,000  
\$1,500,000  
\$1,250,000  
\$1 MILLION  
\$750,000  
\$500,000  
\$250,000  
\$0

**PHASE I - SILVERMAN THEATRE SOUND SYSTEM \$166,000 2013**

OCCA purchased and installed new sound equipment for the Alice Silverman Theatre in 2013.

**PHASE 2 - SILVERMAN THEATRE ACOUSTICAL SYSTEM 2014 fundraising almost complete. \$355,000 2014**

The Meyer Constellation Acoustical System is uniquely configured to the Alice Silverman Theatre. World-class acoustics at the touch of an iPad is what PAC audiences and performers now experience.

**PHASE 3 - NEW PAC SIGNAGE \$53,000 2014**

OCCA will install new signage on the Performing Arts Center and at the corner of Coast and Olive streets, which will expand visibility for shows in both theatres.

**PHASE 4 - SILVERMAN THEATRE LIGHTING \$162,000 2014**

OCCA will replace 20-year-old, non-energy-efficient lamps and add new ones for concurrent shows, as well as a control system, dimmers, and other necessary equipment.

**PAC**



The Newport Visual Arts Center just celebrated its 30th Anniversary. The building has a bright future since the Newport City Council voted March 3, 2014 to adopt one of the community and OCCA recommendations: "The City of Newport should continue to own the Visual Arts Center at its current location."



## VAC Visioning Process

The Oregon Coast Council for the Arts (OCCA) led the initiative to gather community support and host re-envisioning sessions for the VAC. Led by three OCCA Board members and some OCCA staff, the broad-based community made up of a retired judge, an architect, health professionals, artists, representatives from the Hispanic community, business owners, Nye Beach Merchants, chefs, educators, and many friends and neighbors, met on Dec. 12, 2013, Jan. 4 & 18 and Feb. 1 & 15 to brainstorm, gather information, solicit ideas, formulate a plan of action, create draft recommendations and prepare worksheets for the City Council meeting on March 3.



Volunteer participation averaged 35 participants per meeting with 64 volunteers participants listed over the course of the five large group meetings. Hundreds of hours were lovingly devoted to the process

and has given the community the opportunity to unite and organize in a way that has not occurred in the past. This alone strengthens the VAC and the community at large.

## Five Focus Areas

Out of this process, five sub-groups formed to set up, research and analyze (1) Building Maintenance, (2) Funding, (3) Education/Programming, (4) Business Operations/Rental Rates, and (5) Marketing/Economic Impact.

NO.	ISSUE	ACTION ITEM	ASSIGNED TO	STATUS	DATE	NOTES
1	Building Maintenance	...	...	...	...	...
2	Funding	...	...	...	...	...
3	Education/Programming	...	...	...	...	...
4	Business Operations/Rental Rates	...	...	...	...	...
5	Marketing/Economic Impact	...	...	...	...	...

Draft action plans, with objectives and tasks for each of these topics, were developed and now await further clarification and implementation.

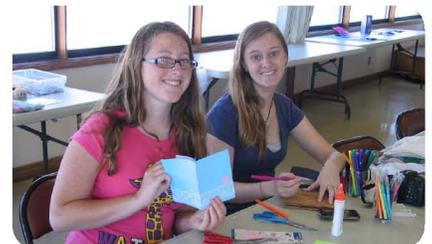
## VAC Steering Committee

To facilitate and foster the groups' work, OCCA established a new OCCA VAC Steering Committee made up of the five sub-committee heads, representatives from Coastal Arts Guild and Yaquina Arts Association, two at-large community members, an OCCA board member and OCCA staff.

This group meets regularly, is continuing work on the five focus areas, and is preparing to meet and work with the City Manager and City Staff.

## VAC as Arts Learning Center

From its inception the Visual Arts Center has been a place to learn, practice and hone artistic skills regardless of age.



## Two Buildings, One Purpose

The Performing Arts Center and the Visual Arts Center anchor the Historic Nye Beach Redevelopment. They continue to define the area as Nye Beach labels itself: "The Art Heart of Newport." OCCA, as a good neighbor, supports the Nye Beach Art Banners that hang throughout the district and is the recipient of the annual Banner Auction held at the VAC.



"Tourists choose to extend the time they stay in Newport, not only because of the range of recreational opportunities, but also to enjoy an impressive array of arts and cultural opportunities, a deserved source of civic pride," another respondent stated.



## Arts Tourism & Economics

In the recent Newport Comprehensive Plan and the New Newport Economic Development Strategy, Newport's tourism industry certainly plays a part in economic development and so do the arts. "Newport tourism infrastructure includes destinations such as the Oregon Coast Aquarium...and cultural amenities."

Potential growth industries include tourism, where "in 2005 Economic Opportunities Analysis 33% of employment in Newport was related to tourism or arts. In 2010, about 36% of employment was in the sectors most directly related to tourism: accommodation and food service, arts and recreation, and retail trade. The strengths of Newport's tourism cluster include... arts and cultural opportunities, such as art dealers, museums, or performance arts."

## The Arts: National View

The recent preliminary report by the U.S. Bureau of Economic Analysis (BEA) and the National Endowment for the Arts on the Impact of Arts and Culture on U.S. Economy - the new Arts and Cultural Production Satellite Account (ASPSA) - provides the first in-depth analysis on the sector's contributions to current-dollar gross domestic product (GDP), a measure of the final dollar value of all goods and services produced in the US. According to these new estimates, 3.2 percent - or \$504 billion - of current-dollar GDP in 2011 was attributable to arts and culture.

American for the Arts in its latest "Arts and Economic Prosperity IV" study entitled the Arts Mean Business" note "America's artists and arts organizations live and work in every community coast-to-coast - fueling creativity, beautifying our cities, and improving our quality of life."

The arts are a magnet for attracting and retaining a skilled and innovative workforce and attracting new businesses. "Nonprofit arts and culture industry is also an economic driver - an industry that supports jobs, generates government revenue, and is the cornerstone of our tourism industry."

OCCA encourages public art and area artists. Public Art adds appeal to the City-owned VAC and PAC and attracts visitors to the buildings themselves.



Coming Summer 2014, OCCA through a gift from the

Mark Sponenburgh estate, will, with help from the City, install "Mother and Child" in the PAC landscape for all to enjoy.



## City/Community Support

Newport embraces the arts. The 2005 "Newport Oregon Vision 2020 and Strategic Action Plan" states that "Cultural opportunities abound in Newport in both the fine and performing arts." (In the survey of 487 respondents, 86% ranked community arts & culture excellent or good.)

In the Economic Turnaround and Prosperity section it is noted, "The arts community stands out as one of the major industry clusters in Newport, contributing to the attractiveness of the community to potential businesses and residences alike."

And in the Unparalleled Cultural Resources section of the study a number of observations speak to the arts in Newport as it relates to quality of life and cultural tourism: "...Newport is known as a town with a working waterfront and community integrated into its natural setting that offers a unique dynamic, showcasing/integrating arts, natural resources, and tourism."

### CITY/COMMUNITY SUPPORT

"Newport's attraction for residents and visitors is also the result of its longstanding commitment to quality cultural programming designed to appeal to diverse tastes."

- 2005 Newport OR Vision 2020 and Strategic action plan



**ITCHUNG CHEUNG,**  
OCCA BOARD PRESIDENT

**2012-13 BOARD OF DIRECTORS**

- Itchung Cheung President*
- Sandi Williams Vice President*
- Cathleen Donnellan Treasurer*
- Wayne Belmont Secretary*
- Mark McConnell**
- Kay Moxness**
- Lavern Weber**



OCCA EXECUTIVE DIRECTOR  
**CATHERINE RICKBONE**



**CONTACT OCCA**

**541-265-ARTS [2787]**  
 Website: [coastarts.org](http://coastarts.org)  
[occa@coastarts.org](mailto:occa@coastarts.org)  
 777 W. Olive Street, Newport

**VISUAL ARTS CENTER VOLUNTEERS**

**VISUAL ARTS CENTER UPSTAIRS DOCENTS**

Mary Lynn Adams, Cheri Aldrich, Doris Beemer, Timothy Benjamin, Loie Bunse, Ron Cornelius, Shirley George, Gay Hagen, Ken Hansen, Alice LaFond, Gary Lahman, Ron Leavens, Maja Lichtenfeld, Kate Markham, Caitie Mathews, Cindy McConnell, Susan Morrison, Phyllis O'Boyle, Crystal Odegaard, Janet Rackleff, Sylvia Swanke, Lin Shubert, Sally Taylor, Helen Wellman

**COASTAL ARTS GUILD RUNYAN GALLERY DOCENTS**

Linda Anderson, Michelle Annette, Sharon Beardsley, Darlene Bowen, Terry Brady, Marsha Christian, Jeanne Cloe, Carol Deslippe, Penny Eaton, Bobby Flewellyn, Betty Hanus, Ken Hartwell, Marni Hurwitz, Patti Johnson, Eleta Kennison, Alice LaFond, Marla Loew, Kate Markham, Sheila Meyer, Mary Peterson, Susanna Peterson, Jane Pettersen, Bonnie Powell, Lida Lee Prchal, Sue Rembolt, Joanna Rose, Denise Ross, Nancy Sims, Nancy Stone, Carol Summers, Frances VanWert, Gloria Zirges

**VISUAL ARTS CENTER LANDSCAPING**

Coastal Arts Guild volunteers at the VAC adopted and maintain the grounds around the building transforming it from weed-infested beds to attractive landscaping with plantings that survive the coastal climate.

**STAFF**

**CATHERINE RICKBONE** Executive Director

OCCA/PAC/VAC/LCA

Oregon Coast Cultural Alliance

**POLLY IVERS**

Assistant Director, Business Manager

**JAN EASTMAN**

PAC Manager/Program Coordinator/Arts

Education

**SALLY HOUCK**

Director, VAC/Arts Education

**RON MILLER**

PAC Operations Manager/

Technical Director

**RUTH KIER**

VAC Assistant

**STEPHAN, GINNY WEST**

Custodians



**Polly Ivers**



**Jan Eastman**



**Ron Miller**



**Sally Houck**



**Stephan**



**Ruth Kier**

**PERFORMING ARTS CENTER VOLUNTEERS**

**PAC ADMINISTRATIVE OFFICE VOLUNTEERS**

Wren Clark  
 Penny Eaton  
 Jann Glenn

Collette Herrick  
 Dianne L. Trask  
 Ginny West

**PAC CAPITAL CAMPAIGN GROUP**

Wayne Belmont  
 Itchung Cheung  
 Cathleen Donnellan  
 Mark McConnell, Chair  
 Kay Moxness

Catherine Rickbone  
 Lavern Weber  
 Sandi Williams  
 Rich Foster, Khlo Brateng  
 (Advisors)

**PERFORMING ARTS CENTER LANDSCAPING**

The PAC is one of the premier Newport buildings and its landscaping and grounds must look presentable to visitors and the community. OCCA members, board, volunteers, PAC RATs and townspeople work in the project.



## OREGON COAST COUNCIL FOR THE ARTS Contract Agreement - Revised

April 9, 2014

Spencer Nebel, City Manager  
City of Newport  
169 SW Coast Highway  
Newport, Oregon 97365

Dear Spencer,

Pursuant to the Oregon Coast Council for the Arts' (OCCA) Agreement with the City of Newport, we respectfully submit our budget request for 2014-2015. We are requesting funds totaling \$115,300 for next year's management of the Newport Performing Arts Center (PAC) and the Newport Visual Arts Center (VAC). (This represents a 2.5% increase because the past two years have remained the same.)

The OCCA provides experienced staff that knows the city's two facilities and runs them in a professional and fiscally responsible manner. This past year (FY '12-'13) actual expenses were \$219,141 for managing the PAC and VAC and represents the services that OCCA contracted to the City to provide. The City's contribution of \$112,500 means the OCCA made up the difference of \$106,641 from its earned and contributed income.

**Recent facilities upgrades:** The most recent contribution to the PAC is \$232,197, to date, that OCCA has raised for the Meyer Constellation Acoustic system, plus another \$166,000 for the upgrade of the Alice Silverman Theatre Sound System. Through a generous donation of \$30,000 to OCCA, the PAC now has the capabilities to receive and broadcast Live HD events, such as Metropolitan Opera, National Theatre London and other HD events via dual satellites, receivers and hard drives installed on site. Additionally, OCCA has contributed \$10,000 for a second floor Showcase at the VAC for mid-career Oregon artists.

**Several years ago,** OCCA purchased an energy saving, HVAC timing system for the PAC, for \$19,000. In the summer of 2008, OCCA upgraded the PAC lighting to make it more energy efficient/green. That project of \$14,409 was funded in part by Central Lincoln PUD, Oregon Department of Energy and with OCCA monies. Currently, we have made repairs to the stage and miscellaneous technical equipment.

**Ongoing expenses:** PAC & VAC liability insurance and staffing, and PAC utilities continue to be major expenses.

Thank you for your consideration of our 2014-2015 budget request and the opportunity to manage two outstanding community resources and tourist attractions. We experience a good partnership with the City.

Sincerely,

Catherine Rickbone  
Executive Director

**Oregon Coast Council for the Arts**  
**Statement of Revenues and Expenditures and Changes in Net Assets**  
**10 - FM (Performing Arts Center)**

From 3/1/2014 Through 3/31/2014

	Current Actual	Year-to-Date Actual	Total Budget - 2014	Percent Total Budget Remaining - 2014	Total Budget Variance - 2014
<b>Public Support and Revenue</b>					
Donations/Memberships	125.00	1,625.00	1,500.00	8.33%	125.00
Total Donations/Memberships	125.00	1,625.00	1,500.00	8.33%	125.00
<b>Total Public Support and Revenue</b>	<b>125.00</b>	<b>1,625.00</b>	<b>1,500.00</b>	<b>8.33%</b>	<b>125.00</b>
<b>Revenue</b>					
Grants	0.00	53,175.00	70,900.00	(25.00)%	(17,725.00)
Sales					
Sales (Advertising)	326.16	4,703.18	5,500.00	(14.49)%	(796.82)
Total Sales	326.16	4,703.18	5,500.00	(14.49)%	(796.82)
Box Office Service Fee	2,610.85	29,035.67	23,000.00	26.24%	6,035.67
Rent	2,142.75	27,248.19	37,000.00	(26.36)%	(9,751.81)
<b>Total Revenue</b>	<b>5,079.76</b>	<b>114,162.04</b>	<b>136,400.00</b>	<b>(16.30)%</b>	<b>(22,237.96)</b>
<b>Total Public Support and Revenue</b>	<b>5,204.76</b>	<b>115,787.04</b>	<b>137,900.00</b>	<b>(16.04)%</b>	<b>(22,112.96)</b>
<b>Expense</b>					
Personnel	7,988.11	69,345.30	96,630.00	28.24%	27,284.70
Professional Fees					
Program Assistant	0.00	270.00	0.00	0.00%	(270.00)
Technician Fees	0.00	0.00	500.00	100.00%	500.00
Social Media	30.00	307.50	0.00	0.00%	(307.50)
<b>Total Professional Fees</b>	<b>30.00</b>	<b>577.50</b>	<b>500.00</b>	<b>(15.50)%</b>	<b>(77.50)</b>
Artist Fees					
Graphic Design	120.00	915.00	800.00	(14.38)%	(115.00)
<b>Total Artist Fees</b>	<b>120.00</b>	<b>915.00</b>	<b>800.00</b>	<b>(14.38)%</b>	<b>(115.00)</b>
Supplies	364.34	2,168.25	3,000.00	27.73%	831.75
Box Office	2,832.24	11,269.80	5,000.00	(125.40)%	(6,269.80)
Postage	0.00	302.36	0.00	0.00%	(302.36)
Printing	0.00	97.30	0.00	0.00%	(97.30)
Advertising	720.68	3,549.21	4,000.00	11.27%	450.79
Occupancy					
Telephone	147.85	1,333.05	1,740.00	23.39%	406.95
Utilities	1,906.55	16,610.79	21,000.00	20.90%	4,389.21
Janitorial Service	0.00	69.00	0.00	0.00%	(69.00)
<b>Total Occupancy</b>	<b>2,054.40</b>	<b>18,012.84</b>	<b>22,740.00</b>	<b>20.79%</b>	<b>4,727.16</b>
Equipment	0.00	1,804.00	0.00	0.00%	(1,804.00)
Insurance	0.00	4,054.80	5,500.00	26.28%	1,445.20
<b>Total Expense</b>	<b>14,109.77</b>	<b>112,096.36</b>	<b>138,170.00</b>	<b>18.87%</b>	<b>26,073.64</b>
<b>Excess (Deficit)</b>	<b>(8,905.01)</b>	<b>3,690.68</b>	<b>(270.00)</b>	<b>(1,466.92)%</b>	<b>3,960.68</b>

**Revenue**

Donations/Memberships: Public donations to the Performing Arts Center

Grants: City of Newport OCCA PAC management

Sales (Advertising): Advertising on the back of NOW Playing publication & .22 per ticket marketing fee

Box Office Service Fee: \$2.00 surcharge per ticket fee, paid by customer, plus BMI & ASCAP fees collected

Rent: Rent from performances and other public rentals

**Expenses:**

Personnel: PAC Manager (1 FTE/60%), Operations Manager (.75 FTE/100%), Custodian (.50 FTE/100%)

Business Manager (1 FTE/65%)

Technician Fees: Technical assistance for opera equipment, film projector, etc.

Graphic Design: Graphic design work for NOW Playing publication

Supplies: Janitorial, Theatre Lighting and general operational supplies

Box Office: Credit card fees generated through the box office, BMI & ASCAP fees paid

Advertising: News Times NOW Playing ad Oregon Coast Today & NOW Playing publication & misc. advertising

Equipment: PAC equipment purchases, as needed. (Box Office computer)

Insurance: PAC Liability insurance

**Oregon Coast Council for the Arts**  
**Statement of Revenues and Expenditures and Changes in Net Assets**  
**15 - FM (Visual Arts Center)**

From 3/1/2014 Through 3/31/2014

	Current Actual	Year-to-Date Actual	Total Budget - 2014	Percent Total Budget Remaining - 2014	Total Budget Variance - 2014
<b>Public Support and Revenue</b>					
Donations/Memberships	107.00	3,701.50	2,000.00	85.08%	1,701.50
Total Donations/Memberships	107.00	3,701.50	2,000.00	85.08%	1,701.50
Total Public Support and Revenue	107.00	3,701.50	2,000.00	85.08%	1,701.50
<b>Revenue</b>					
Grants	0.00	31,200.00	41,600.00	(25.00)%	(10,400.00)
Tuition	0.00	1,392.40	1,700.00	(18.09)%	(307.60)
Sales					
Sales (Products & Art)	1,171.00	7,864.50	10,000.00	(21.36)%	(2,135.50)
Total Sales	1,171.00	7,864.50	10,000.00	(21.36)%	(2,135.50)
Total Revenue	1,171.00	40,456.90	53,300.00	(24.10)%	(12,843.10)
<b>Total Public Support and Revenue</b>	1,278.00	44,158.40	55,300.00	(20.15)%	(11,141.60)
<b>Expense</b>					
Personnel	4,152.68	37,501.06	48,905.00	23.32%	11,403.94
Professional Fees					
Professional Development	12.00	260.00	300.00	13.33%	40.00
Program Assistant	500.50	2,331.40	3,800.00	38.65%	1,468.60
Web Technical Assistant	30.00	130.00	500.00	74.00%	370.00
Social Media	60.00	447.50	0.00	0.00%	(447.50)
Total Professional Fees	602.50	3,168.90	4,600.00	31.11%	1,431.10
Artist Fees					
Artist Fees	795.40	5,643.88	7,500.00	24.75%	1,856.12
Total Artist Fees	795.40	5,643.88	7,500.00	24.75%	1,856.12
Supplies	294.98	947.06	1,100.00	13.90%	152.94
Postage	0.00	545.65	900.00	39.37%	354.35
Printing	(31.80)	1,030.91	1,200.00	14.09%	169.09
Advertising	147.50	479.00	800.00	40.13%	321.00
Equipment	0.00	202.68	250.00	18.93%	47.32
Insurance	0.00	1,050.00	1,050.00	0.00%	0.00
Travel	0.00	24.20	300.00	91.93%	275.80
Miscellaneous					
Courtesy Expense	14.98	914.79	1,100.00	16.84%	185.21
Total Miscellaneous	14.98	914.79	1,100.00	16.84%	185.21
Total Expense	5,976.24	51,508.13	67,705.00	23.92%	16,196.87
<b>Excess (Deficit)</b>	(4,698.24)	(7,349.73)	(12,405.00)	(40.75)%	5,055.27

**Revenue:**

Donations/Memberships: Public donations to the Visual Arts Center

Grants: City of Newport OCCA VAC management

Sales (Products & Art): Art sales from the Runyon & Upstairs gallery & COVAS Showcase exhibits

**Expenses:**

Personnel: VAC Director(1 FTE/80%), VAC Assistant(.50 FTE/100%, Business Manager(1 FTE/7%)

Program Assistant: Other non-payroll gallery coverage (weekends)

Professional Development: Staff development & attendance at Newport Chamber

Web Technical Assistant: VAC website updates (gallery information etc.)

Artist Fees: Fees to artists for sale of their exhibited artwork, and workshop instructor fees

Insurance: VAC Liability insurance

Courtesy Expense: VAC receptions for the public at opening of new exhibits

VAC budget is usually a deficit budget because there are fewer revenue generating opportunities

Deficits are covered by PAC and other OCCA programming

**Oregon Coast Council for the Arts**  
**Statement of Revenues and Expenditures and Changes in Net Assets**  
**10 - FM (Performing Arts Center)**

From 6/1/2013 Through 6/30/2013

	Current Actual	Year-to-Date Actual	Total Budget - 2013	Percent Total Budget Remaining - 2013	Total Budget Variance - 2013
<b>Public Support and Revenue</b>					
Donations/Memberships	125.00	4,105.00	3,400.00	20.74%	705.00
Total Donations/Memberships	125.00	4,105.00	3,400.00	20.74%	705.00
Total Public Support and Revenue	125.00	4,105.00	3,400.00	20.74%	705.00
<b>Revenue</b>					
Grants	2,270.00	73,170.00	70,900.00	3.20%	2,270.00
Sales					
Sales (Advertising)	542.06	8,029.24	6,500.00	23.53%	1,529.24
Total Sales	542.06	8,029.24	6,500.00	23.53%	1,529.24
Box Office Service Fee	2,926.00	27,068.50	27,000.00	0.25%	68.50
Rent	3,264.93	42,076.69	43,000.00	(2.15)%	(923.31)
Investment/ Interest Income	3.91	3.91	0.00	0.00%	3.91
Total Revenue	9,006.90	150,348.34	147,400.00	2.00%	2,948.34
<b>Total Public Support and Revenue</b>	9,131.90	154,453.34	150,800.00	2.42%	3,653.34
<b>Expense</b>					
Personnel	7,893.71	96,050.03	94,415.00	(1.73)%	(1,635.03)
Professional Fees					
Program Assistant	115.00	315.00	0.00	0.00%	(315.00)
Technician Fees	0.00	316.28	500.00	36.74%	183.72
Social Media	300.00	300.00	900.00	66.67%	600.00
Total Professional Fees	415.00	931.28	1,400.00	33.48%	468.72
Artist Fees					
Graphic Design	0.00	800.00	800.00	0.00%	0.00
Total Artist Fees	0.00	800.00	800.00	0.00%	0.00
Supplies	26.14	3,581.42	4,000.00	10.46%	418.58
Box Office	2,613.83	8,877.63	8,000.00	(10.97)%	(877.63)
Advertising	598.05	5,395.03	6,000.00	10.08%	604.97
Occupancy					
Telephone	140.82	1,583.55	1,600.00	1.03%	16.45
Utilities	1,484.14	21,733.13	23,000.00	5.51%	1,266.87
Janitorial Service	0.00	84.50	500.00	83.10%	415.50
Total Occupancy	1,624.96	23,401.18	25,100.00	6.77%	1,698.82
Equipment	1,954.34	2,051.51	1,500.00	(36.77)%	(551.51)
Insurance	0.00	5,510.33	5,250.00	(4.96)%	(260.33)
Total Expense	15,126.03	146,598.41	146,465.00	(0.09)%	(133.41)
<b>Excess (Deficit)</b>	(5,994.13)	7,854.93	4,335.00	81.20%	3,519.93

**Revenue**

Donations/Memberships: Public donations to the Performing Arts Center

Grants: City of Newport OCCA PAC management

Sales (Advertising): Advertising on the back of NOW Playing publication & .22 per ticket marketing fee

Box Office Service Fee: \$2.00 surcharge per ticket fee, paid by customer, plus BMI & ASCAP fees collected

Rent: Rent from performances and other public rentals

**Expenses:**

Personnel: PAC Manager (1 FTE/60%), Operations Manager (.75 FTE/100%), Custodian (.50 FTE/100%)

Business Manager (1 FTE/65%)

Technician Fees: Technical assistance for opera equipment, film projector, etc.

Graphic Design: Graphic design work for NOW Playing publication

Supplies: Janitorial, Theatre Lighting and general operational supplies

Box Office: Credit card fees generated through the box office, BMI & ASCAP fees paid

Advertising: News Times NOW Playing ad Oregon Coast Today & NOW Playing publication & misc. advertising

Equipment: PAC equipment purchases, as needed. (Box Office computer)

Insurance: PAC Liability insurance

**Oregon Coast Council for the Arts**  
**Statement of Revenues and Expenditures and Changes in Net Assets**  
**15 - FM (Visual Arts Center)**

From 6/1/2013 Through 6/30/2013

	Current Actual	Year-to-Date Actual	Total Budget - 2013	Percent Total Budget Remaining - 2013	Total Budget Variance - 2013
<b>Public Support and Revenue</b>					
Donations/Memberships	314.00	3,661.40	2,950.00	24.12%	711.40
Total Donations/Memberships	314.00	3,661.40	2,950.00	24.12%	711.40
<b>Total Public Support and Revenue</b>	<b>314.00</b>	<b>3,661.40</b>	<b>2,950.00</b>	<b>24.12%</b>	<b>711.40</b>
<b>Revenue</b>					
Grants	0.00	41,600.00	41,600.00	0.00%	0.00
Admissions	0.00	310.50	0.00	0.00%	310.50
Tuition	209.30	1,589.60	1,700.00	(6.49)%	(110.40)
<b>Sales</b>					
Sales (Products & Art)	630.00	17,013.85	8,000.00	112.67%	9,013.85
<b>Total Sales</b>	<b>630.00</b>	<b>17,013.85</b>	<b>8,000.00</b>	<b>112.67%</b>	<b>9,013.85</b>
<b>Total Revenue</b>	<b>839.30</b>	<b>60,513.95</b>	<b>51,300.00</b>	<b>17.96%</b>	<b>9,213.95</b>
<b>Total Public Support and Revenue</b>	<b>1,153.30</b>	<b>64,175.35</b>	<b>54,250.00</b>	<b>18.30%</b>	<b>9,925.35</b>
<b>Expense</b>					
Personnel	4,014.15	49,816.40	48,560.00	(2.59)%	(1,256.40)
<b>Professional Fees</b>					
Professional Development	36.00	228.00	350.00	34.86%	122.00
Program Assistant	375.90	3,712.50	3,800.00	2.30%	87.50
Web Technical Assistant	0.00	395.00	500.00	21.00%	105.00
<b>Total Professional Fees</b>	<b>411.90</b>	<b>4,335.50</b>	<b>4,650.00</b>	<b>6.76%</b>	<b>314.50</b>
<b>Artist Fees</b>					
Artist Fees	71.50	10,781.48	6,200.00	(73.89)%	(4,581.48)
<b>Total Artist Fees</b>	<b>71.50</b>	<b>10,781.48</b>	<b>6,200.00</b>	<b>(73.89)%</b>	<b>(4,581.48)</b>
Supplies	40.40	1,679.77	1,000.00	(67.98)%	(679.77)
Postage	13.39	980.42	850.00	(15.34)%	(130.42)
Printing	365.08	1,946.00	1,000.00	(94.60)%	(946.00)
Advertising	0.00	721.49	800.00	9.81%	78.51
Equipment	0.00	97.05	250.00	61.18%	152.95
Insurance	0.00	643.67	1,050.00	38.70%	406.33
Travel	0.00	74.85	300.00	75.05%	225.15
<b>Miscellaneous</b>					
Dues & Fees	0.00	321.00	0.00	0.00%	(321.00)
Courtesy Expense	71.91	1,145.70	1,100.00	(4.15)%	(45.70)
<b>Total Miscellaneous</b>	<b>71.91</b>	<b>1,466.70</b>	<b>1,100.00</b>	<b>(33.34)%</b>	<b>(366.70)</b>
<b>Total Expense</b>	<b>4,988.33</b>	<b>72,543.33</b>	<b>65,760.00</b>	<b>(10.32)%</b>	<b>(6,783.33)</b>
<b>Excess (Deficit)</b>	<b>(3,835.03)</b>	<b>(8,367.98)</b>	<b>(11,510.00)</b>	<b>(27.30)%</b>	<b>3,142.02</b>

**Revenue:**

Donations/Memberships: Public donations to the Visual Arts Center  
 Grants: City of Newport OCCA VAC management  
 Sales (Products & Art): Art sales from the Runyon & Upstairs gallery & COVAS Showcase exhibits

**Expenses:**

Personnel: VAC Director(1 FTE/80%), VAC Assistant(.50 FTE/100%, Business Manager(1 FTE/7%)  
 Program Assistant: Other non-payroll gallery coverage (weekends)  
 Professional Development: Staff development & attendance at Newport Chamber  
 Web Technical Assistant: VAC website updates (gallery information etc.)  
 Artist Fees: Fees to artists for sale of their exhibited artwork, and workshop instructor fees  
 Insurance: VAC Liability insurance  
 Courtesy Expense: VAC receptions for the public at opening of new exhibits

VAC budget is usually a deficit budget because there are fewer revenue generating opportunities  
 Deficits are covered by PAC and other OCCA programming

## **AGREEMENT**

This agreement is between the City of Newport, an Oregon municipal corporation (City) and the Oregon Coast Council for the Arts, an Oregon nonprofit corporation (OCCA).

### **RECITALS**

A. City owns the Performing Arts Center (PAC) located at 777 W. Olive Street. City also owns the Visual Arts Center (VAC) located at 777 NW Beach Drive. The PAC and the VAC are referred to as the "facilities."

B. OCCA is a duly organized and registered non-profit corporation and tax-exempt entity.

C. OCCA promotes and assists arts on the Oregon coast, including within the City of Newport.

D. OCCA contributed approximately \$600,000 of the \$1.7 million cost of construction and furnishing of the PAC, with its contributions totaling about thirty-five percent of the total costs.

E. The contribution by OCCA was based on the mutual understanding that the OCCA would have certain rights in the City's art and cultural facilities, including some or all management rights of the facilities, subject to the City's right to use those facilities.

F. OCCA for many years has managed the facilities with greater management responsibilities of the PAC and lesser responsibilities as to the VAC. Originally the management of the PAC was subject to a detailed written agreement, but in recent years, the documentation of the management agreements has been minimal.

G. City and OCCA wish to enter into an agreement that more clearly establishes their respective obligations and rights relating to the management of the facilities.

H. This agreement is not subject to competitive bidding because the agreement effectuates the rights the OCCA acquired through its investment in the PAC. Furthermore, it is exempt from competitive bidding because it is a contract for personal services because the management of the facility requires professional-level management services. Furthermore, the City has determined that no other entity is capable of and willing to provide the management services, and OCCA therefore is the sole source of the services provided under this agreement.

## **TERMS OF AGREEMENT**

### **Basic Term**

OCCA will continue to manage the PAC and will have some management of the VAC, pursuant to the understanding by which OCCA provided funding for the PAC. The City will pay OCCA for the management of the facilities, subject to the detailed terms of this agreement.

### **Detailed Terms**

1. This agreement is effective July 1, 2013, and shall remain in effect for five years, subject to the availability of budgeted funds.
2. OCCA shall manage and operate the VAC and shall continue its current level of management of the PAC, subject to the right of the City to use the facilities in whole or in part. The City has the right to use any portion of the facilities at any time that the facilities have not been committed to other use.
3. City shall pay OCCA \$112,500 for the period from July 1, 2013, through June 30, 2014. Payments shall be made quarterly. The amount the City pays for future fiscal years shall be set through the City's budgeting process, and shall be based on an amount sufficient, when considered with other sources of revenue, to pay OCCA's costs incurred in the management of the facilities. The parties anticipate that there will be reasonable increases in the amount paid in future years. OCCA may terminate this agreement within 30 days of the final adoption of any annual city budget or amendment of the budget items authorizing expenditures if OCCA determines in good faith that the budgeted amount is insufficient.
4. OCCA's responsibilities are to manage both the long-term and day-to-day operation of the PAC, including booking and scheduling of activities, providing for maintenance, cleaning, and security. OCCA shall continue its current level of management of the VAC, but shall not be responsible for cleaning or maintenance. The parties contemplate that OCCA's responsibilities as to management of the VAC may be increased and that any increase in responsibilities will be accompanied by additional payment from the City. In its operation of the facilities, OCCA shall act as if it were a public entity in providing equal treatment, due process, and other constitutional rights to the users of the facilities.
5. This agreement for management of the facilities is not a transfer of an interest or a lease, and the City remains the sole owner of the facilities, which are not subject to taxation, given the City's status as a governmental entity. If for any reason this agreement is determined to result in the facilities or operations of the facilities being subject to taxation, the agreement shall be

considered void.

6. The sole purpose of the City in owning the facilities and of OCCA in operating the facilities is to have the facilities available for the purposes of public cultural enrichment, education, and other public purposes which include the mission and purposes of the OCCA. No party expects to receive any net income from operation of the facilities, and all incomes from the facilities shall be used for the facilities and programs offered by the facilities.

7. OCCA shall provide a manager for each facility and the staff (paid and volunteer) necessary to operate each facility. OCCA may use contractors to provide services, such as food services. OCCA shall be responsible for booking, organizing, publicizing events at the facilities, as well as for ticket sales, collecting other payments, and other activities related to operation of the facilities and events at the facilities.

8. OCCA shall be responsible for utilities at the PAC, other than phone, water, and sewer, which will be provided at no cost by the City. City will continue to be responsible for all utilities at the VAC.

9. OCCA shall be responsible for cleaning, general maintenance, and minor repairs of the PAC. City shall be responsible for major repairs to the structure and essential components (heating, ventilation, plumbing and basic building electricity) of the PAC and VAC and for cleaning, maintenance and repair of the VAC. OCCA shall be responsible for any repairs caused by its acts or omissions.

10. Revenue for use of the PAC shall be paid to OCCA. Rental and other revenue from the VAC shall continue to be paid directly to the City.

11. City shall maintain insurance on the structure and public liability insurance. OCCA shall obtain and maintain public liability insurance as well as insurance on any personal property within the facility.

12. OCCA shall prepare and present to the City an annual report on activities, including a summary of revenue and expenditures. In addition to the annual report, OCCA shall submit a request for funding for the next fiscal year by March of each year.

13. OCCA shall defend, indemnify, and hold harmless the City, as well as its officials and employees, from all liability and claims, including attorney fees, relating to any act or omission of OCCA and its agents.

14. OCCA shall comply with all provisions required to be in an agreement of this type by state contracting law. A copy of relevant provisions is attached.

15. The rights and obligations created and imposed by this agreement are not transferable.

**16. OCCA shall comply with all applicable laws and ordinances, including Federal equal rights laws.**

**17. OCCA is an independent contractor and not an employee of the City for any purpose. Although OCCA may be an agent of the City for purposes of ORS 30.260 to 30.300, it is not an agent of the City for other purposes and has no authority to bind the City.**

**18. The parties may terminate this agreement by mutual agreement. Either party may terminate this agreement on written notice provided at least 180 days before the proposed termination date.**

**19. In the event this agreement is determined to be subject to any competitive process requirement, the agreement shall terminate on selection of a contractor to manage and operate the facilities through a competitive selection process. OCCA shall not be prohibited from bidding. OCCA shall continue until a contractor has been selected.**

**20. Contact information. The contacts for notice and other purposes are:**

**For City:**

**City Manager  
City of Newport  
169 SW Coast Highway  
Newport, Oregon 97365  
541.574.0601**

**For OCCA:**

**Catherine Rickbone  
Executive Director  
Oregon Coast Council for the Arts  
P.O. Box 1315  
Newport, Oregon 97365  
541.265.2652**

On behalf of the City of Newport:

Ted Smith  
Ted Smith, Interim City Manager

10-2-13  
Date

On behalf of the Oregon Coast Council for the Arts

Catherine Rickbone  
Catherine Rickbone, Executive Director

10/2/13  
Date

## ATTACHMENT A

### STATUTORY PROVISIONS

**2796.220 Conditions concerning payment, contributions, liens, withholding. Every public contract shall contain a condition that the contractor shall:**

- (1) Make payment promptly, as due, to all persons supplying to the contractor labor or material for the performance of the work provided for in the contract.**
- (2) Pay all contributions or amounts due the Industrial Accident Fund from the contractor or subcontractor incurred in the performance of the contract.**
- (3) Not permit any lien or claim to be filed or prosecuted against the state or a county, school district, municipality, municipal corporation or subdivision thereof, on account of any labor or material furnished.**
- (4) Pay to the Department of Revenue all sums withheld from employees under ORS 316.167.**

**2796.230 Condition concerning payment for medical care and providing workers' compensation.**

- (1) Every public contract shall contain a condition that the contractor shall promptly, as due, make payment to any person, co-partnership, association or corporation furnishing medical, surgical and hospital care services or other needed care and attention, incident to sickness or injury, to the employees of the contractor, of all sums that the contractor agrees to pay for the services and all moneys and sums that the contractor collected or deducted from the wages of employees under any law, contract or agreement for the purpose of providing or paying for the services.**
- (2) Every public contract shall contain a clause or condition that all subject employers working under the contract are either employers that will comply with ORS 656.017 or employers that are exempt under ORS 656.126.**



**Spencer Nebel**

---

**From:** Caroline Bauman <ecdev@orcoast.com>  
**Sent:** Wednesday, April 02, 2014 2:59 PM  
**To:** Spencer Nebel; Kerry Kemp; Jill Lyon  
**Subject:** proposed changes to Enterprise Zone for city action  
**Attachments:** Enterprise Zone county resolution.docx

Dear city rep's for Newport, Waldport and Toledo: We are making modifications for the Lincoln City portion of the Lincoln County Enterprise Zone as suggested by that City. Since we are in a countywide Enterprise Zone with 5 sponsors (4 cities and county), each sponsor has to approve the proposed changes. I would like to request placement of the required resolution on all your cities' agenda during April if possible. I can provide the resolution draft, the explanation, the attachments (maps) and attend the meeting and work session, if any.

I think I reviewed with all of you recently that our Enterprise Zone covers all of Toledo, all of Waldport, and all of Newport south of the bridge (with a few more tax lots). The Lincoln City portion is not so easy to describe, and their list of tax lots has become obsolete as properties were developed over the years. That is the entire reasoning behind this set of resolutions. I am awaiting 2 attachments from Lincoln City that will complete the materials. Please help me get on these agendas in the meantime and I will brief everyone completely as needed.

Thanks for your help,  
Caroline Bauman  
Economic Development Alliance of Lincoln County and Enterprise Zone Manager

Resolution sample attached.

RESOLUTION NO. 3669

A RESOLUTION APPROVING A CHANGE  
IN THE LINCOLN COUNTY ENTERPRISE ZONE  
THAT IDENTIFIES CURRENT AVAILABLE LANDS WITHIN LINCOLN CITY OF  
NEWPORT FOR INCLUSION,  
AND OTHER INAPPROPRIATE LANDS FOR SUBTRACTION

Findings:

WHEREAS, in 2010, Lincoln County, Lincoln City, Newport, Toledo, and Waldport together successfully applied for an enterprise zone, which was designated as the Lincoln County Enterprise Zone by the Director of Business Oregon on July 1, 2010; and

WHEREAS, the designation of an enterprise zone does not grant or imply permission to develop land within the zone without complying with all prevailing zoning, regulatory and permitting processes and restrictions of any and all local jurisdictions; nor does it indicate any public intent to modify those processes or restrictions, unless otherwise in agreement with applicable comprehensive land use plans; and

WHEREAS, this Enterprise Zone and the three to five-year property tax exemption that it offers for new investments in plant and equipment by eligible business firms are critical elements of local efforts to increase employment opportunities, to raise local incomes, to attract investments by new and existing businesses and to secure and diversify the local economic base; and

WHEREAS, officials of the sponsoring cities and county specified above are agreed in requesting a change in the boundary of the Lincoln County Enterprise Zone that would add and subtract the areas indicated in the attached map (Exhibit A) and the legal description of the Lincoln City portion (Exhibit B), such that the amended Enterprise Zone would be configured according to the attached map and description (Exhibits C and D); and

WHEREAS, special notification was sent to all affected taxing districts in the zone twenty-one days prior to the consideration of this resolution by the Lincoln County Board of Commissioners; and

WHEREAS, this change in the boundary of the Lincoln County Enterprise Zone will give incentives for development and capital improvements in certain locations for certain types of businesses, which would benefit and diversify the local economy. A company must increase the number of jobs in order to qualify.

THE CITY OF NEWPORT RESOLVES AS FOLLOWS:

1. The City of Newport requests a change in the boundary of the Lincoln County Enterprise Zone as shown in the attached maps and legal descriptions (Exhibits A, B, C, and D).
2. The Economic Development Alliance of Lincoln County, as Local Zone Manager, is hereby authorized to prepare and submit technical memoranda to Business Oregon,

along with this resolution and other necessary documents, verifying that the requested boundary changes to the Lincoln County Enterprise Zone comply with the requirements of ORS 285C.115, so that the request herein may be approved by order of the department's director.

3. The City of Newport requests that the Director of Business Oregon continue to waive the distance maximum of 25 miles overall and/or of 15 miles between separate areas within the Lincoln County Enterprise Zone pursuant to this requested boundary change (available only for a rural zone entirely in a sparsely populated county).

Adopted by the Newport City Council on April 21, 2014.

---

Sandra N. Roumagoux, Mayor

ATTEST:

---

Margaret M. Hawker, City Recorder

# EXHIBIT A

Pacific Ocean

18

101

Devils Lake

Siletz Bay

101



## Lincoln City Enterprise Zone Proposed Changes April 2014

- Remaining 75 acres
- Removed 688 acres
- Added 100 acres
- City Limits
- County
- Urban Growth Boundary



0 0.5 1 Miles



LINCOLN COUNTY ENTERPRISE ZONE APPLICATION – PAGE 3

LEGAL DESCRIPTION OF ZONE BOUNDARIES

**Lincoln County Unincorporated Area:** The tax lots as listed.

**City and Port of Newport:** All that portion of the City of Newport lying south of Yaquina Bay, plus the tax lots as listed:

**City of Toledo:** All of the City of Toledo.

**City of Waldport:** All of the City of Waldport.

**City of Lincoln City:** The tax lots as listed.

TOTAL SIZE == Just under 12 square miles.

10-11-20-BB-00507-00	0.00 Newport	0.00159
10-11-20-BB-00505-00	0.00 Newport	0.00161
10-11-20-BB-00506-00	0.00 Newport	0.00156
10-11-20-BB-00504-00	0.00 Newport	0.00159
10-11-20-BB-00503-00	0.00 Newport	0.00156
10-11-20-BB-00502-00	0.00 Newport	0.00159
10-11-20-BC-00204-00	0.00 Newport	0.00156
10-11-20-BC-00205-00	0.00 Newport	0.00157
10-11-20-BC-00203-00	0.00 Newport	0.00155
10-11-20-BC-00202-00	0.00 Newport	0.00156
11-11-08-AD-08800-00	0.00 Newport	0.00027
11-11-08-AD-08900-00	0.00 Newport	0.00005
11-11-08-AD-09000-00	0.00 Newport	0.00001
11-11-08-AD-09100-00	0.00 Newport	0.00001
11-11-08-AD-09200-00	0.00 Newport	0.00002
11-11-08-AD-09300-00	0.00 Newport	0.00004
11-11-08-AD-09400-00	0.00 Newport	0.00005
11-11-08-AD-09500-00	0.00 Newport	0.00006
11-11-08-AD-09600-00	0.00 Newport	0.00009
11-11-08-AD-09700-00	0.00 Newport	0.00013
11-11-09-D0-00600-00	0.00 Newport	0.02546
11-11-09-D0-00101-00	0.00 Newport	0.01373
11-11-09-D0-00100-00	0.00 Newport	0.06457
11-11-09-D0-00103-00	0.00 Newport	0.00491
11-11-09-D0-00400-00	0.00 Newport	0.00079
11-11-09-D0-00104-00	0.00 Newport	0.00368
11-11-09-D0-00102-00	0.00 Newport	0.01675
10-11-20-BB-00513-00	0.00 Newport	0.00161
06-11-35-00-00301-00	19.77 Lincoln City	0.03089
06-11-35-00-00100-00	39.16 Lincoln City	0.06119
06-11-35-00-00402-00	43.58 Lincoln City	0.06809
06-11-35-00-00300-00	59.11 Lincoln City	0.09235
06-11-35-00-01000-00	60.50 Lincoln City	0.09452
06-11-35-00-01102-00	20.13 Lincoln City	0.03145
06-11-35-00-01100-00	20.12 Lincoln City	0.03144
06-11-35-00-01001-00	20.21 Lincoln City	0.03157
06-11-36-00-00401-00	37.13 Lincoln City	0.05802
06-11-36-00-00700-00	31.04 Lincoln City	0.04849
06-11-36-BC-00300-00	0.51 Lincoln City	0.00079
06-11-36-BC-00200-00	14.29 Lincoln City	0.02233
06-11-36-BC-00100-00	2.29 Lincoln City	0.00357
06-11-36-BC-00700-00	7.59 Lincoln City	0.01186
06-11-36-BC-00600-00	5.95 Lincoln City	0.00929
06-11-36-BC-00500-00	4.81 Lincoln City	0.00752
06-11-36-BC-00400-00	4.03 Lincoln City	0.00630
06-11-36-BD-00200-00	0.27 Lincoln City	0.00043
06-11-36-BD-00500-00	11.73 Lincoln City	0.01833
06-11-36-BD-00501-00	5.70 Lincoln City	0.00891
06-11-36-BD-00600-00	5.68 Lincoln City	0.00887
06-11-36-CB-00100-00	16.58 Lincoln City	0.02591
07-11-02-B0-00102-00	20.20 Lincoln City	0.03157
07-11-02-B0-00606-00	2.82 Lincoln City	0.00441

07-11-02-B0-00701-00	8.14 Lincoln City	0.01272
07-11-02-B0-01000-00	2.61 Lincoln City	0.00408
07-11-02-B0-00700-00	2.39 Lincoln City	0.00374
07-11-02-B0-00703-00	14.61 Lincoln City	0.02284
07-11-02-B0-00705-00	0.70 Lincoln City	0.00109
07-11-02-B0-00706-00	4.43 Lincoln City	0.00693
07-11-02-B0-00707-00	1.64 Lincoln City	0.00256
07-11-02-B0-01100-00	1.23 Lincoln City	0.00192
07-11-02-B0-00600-00	0.30 Lincoln City	0.00047
07-11-02-B0-00607-00	1.38 Lincoln City	0.00215
07-11-02-B0-00704-00	0.40 Lincoln City	0.00063
07-11-02-BD-00500-00	0.17 Lincoln City	0.00026
07-11-02-BD-00400-00	0.38 Lincoln City	0.00059
07-11-02-BD-00300-00	0.74 Lincoln City	0.00115
07-11-02-BD-00200-00	0.60 Lincoln City	0.00094
07-11-02-BD-00100-00	0.28 Lincoln City	0.00044
07-11-02-BD-01000-00	0.55 Lincoln City	0.00086
07-11-02-BD-00700-00	0.12 Lincoln City	0.00018
07-11-02-BD-00900-00	0.19 Lincoln City	0.00029
07-11-02-BD-00600-00	0.08 Lincoln City	0.00012
07-11-02-BD-00800-00	1.19 Lincoln City	0.00185
07-11-02-CB-04900-00	0.14 Lincoln City	0.00022
07-11-02-CB-04800-00	0.11 Lincoln City	0.00018
07-11-02-CB-03800-00	1.14 Lincoln City	0.00178
07-11-02-CB-05000-00	0.46 Lincoln City	0.00072
07-11-02-CB-05100-00	0.47 Lincoln City	0.00073
07-11-02-CB-04000-00	0.11 Lincoln City	0.00018
07-11-02-CB-03900-00	0.13 Lincoln City	0.00020
07-11-02-CB-04200-00	0.29 Lincoln City	0.00046
07-11-02-CB-04100-00	0.19 Lincoln City	0.00029
07-11-02-CB-04300-00	0.24 Lincoln City	0.00037
07-11-02-CB-04600-00	0.23 Lincoln City	0.00036
07-11-02-CB-04400-00	0.12 Lincoln City	0.00018
07-11-02-CB-04700-00	0.76 Lincoln City	0.00119
07-11-11-AB-02100-00	7.65 Lincoln City	0.01196
07-11-11-AB-02101-00	3.59 Lincoln City	0.00561
07-11-11-AB-02102-00	1.54 Lincoln City	0.00240
07-11-11-AB-05400-00	2.65 Lincoln City	0.00414
07-11-11-AB-05401-00	3.38 Lincoln City	0.00529
07-11-11-BA-00100-00	0.46 Lincoln City	0.00072
07-11-11-BA-00200-00	0.26 Lincoln City	0.00041
07-11-11-BA-00201-00	0.20 Lincoln City	0.00031
07-11-11-BA-00303-00	0.46 Lincoln City	0.00073
07-11-11-BA-00300-00	0.29 Lincoln City	0.00045
07-11-11-BA-00302-00	0.18 Lincoln City	0.00028
07-11-11-BA-00405-00	0.56 Lincoln City	0.00087
07-11-11-BA-00402-00	0.36 Lincoln City	0.00056
07-11-11-BA-00406-00	0.15 Lincoln City	0.00023
07-11-11-BA-00407-00	0.14 Lincoln City	0.00022
07-11-11-BA-00408-00	0.46 Lincoln City	0.00072
07-11-11-BD-00102-00	11.88 Lincoln City	0.01857
07-11-11-BD-00601-00	4.94 Lincoln City	0.00772

07-11-11-BD-00700-00	1.38 Lincoln City	0.00215
07-11-11-BD-00800-00	1.95 Lincoln City	0.00305
07-11-11-BD-00702-00	0.47 Lincoln City	0.00073
07-11-11-BD-00802-00	6.12 Lincoln City	0.00956
07-11-11-BD-00500-00	2.49 Lincoln City	0.00389
07-11-11-BD-00103-00	1.22 Lincoln City	0.00190
07-11-11-CA-00200-00	0.99 Lincoln City	0.00155
07-11-11-CA-00300-00	2.25 Lincoln City	0.00351
07-11-11-CA-00400-00	1.03 Lincoln City	0.00161
07-11-11-CA-00500-00	9.60 Lincoln City	0.01500
07-11-14-CC-00100-00	18.18 Lincoln City	0.02841
07-11-14-CC-00200-00	3.26 Lincoln City	0.00510
07-11-14-CC-00300-00	0.96 Lincoln City	0.00149
07-11-15-DB-12301-00	3.55 Lincoln City	0.00555
07-11-15-DB-12200-00	1.88 Lincoln City	0.00294
07-11-15-DD-00701-00	2.71 Lincoln City	0.00423
07-11-15-DD-00200-00	1.88 Lincoln City	0.00294
07-11-15-DD-00101-00	0.19 Lincoln City	0.00030
07-11-15-DD-00100-00	0.93 Lincoln City	0.00145
07-11-15-DD-00300-00	1.25 Lincoln City	0.00196
07-11-22-AA-00200-00	0.66 Lincoln City	0.00103
07-11-22-AA-00100-00	1.15 Lincoln City	0.00180
07-11-22-AA-01101-00	0.07 Lincoln City	0.00011
07-11-22-AA-01100-00	0.27 Lincoln City	0.00042
07-11-22-AA-01000-00	0.73 Lincoln City	0.00114
07-11-22-AA-01300-00	1.01 Lincoln City	0.00158
07-11-22-AA-01200-00	0.23 Lincoln City	0.00037
07-11-22-AA-02400-00	0.58 Lincoln City	0.00091
07-11-22-AA-02300-00	0.38 Lincoln City	0.00060
07-11-22-AA-02900-00	1.36 Lincoln City	0.00213
07-11-22-AA-02200-00	0.11 Lincoln City	0.00018
07-11-22-AA-02700-00	0.49 Lincoln City	0.00076
07-11-22-AA-02800-00	0.45 Lincoln City	0.00070
07-11-22-AA-03500-00	0.25 Lincoln City	0.00039
07-11-22-AA-03300-00	0.85 Lincoln City	0.00133
07-11-22-AA-03200-00	1.09 Lincoln City	0.00170
07-11-22-AA-03400-00	0.68 Lincoln City	0.00106
07-11-22-AA-03301-00	0.10 Lincoln City	0.00016
07-11-22-AA-04300-00	0.49 Lincoln City	0.00076
07-11-22-AA-04500-00	1.59 Lincoln City	0.00248
07-11-22-AA-04400-00	0.47 Lincoln City	0.00073
07-11-22-AD-00300-00	0.35 Lincoln City	0.00054
07-11-22-AD-01202-00	0.35 Lincoln City	0.00055
07-11-22-AD-00600-00	0.51 Lincoln City	0.00080
07-11-22-AD-00700-00	0.52 Lincoln City	0.00081
07-11-22-AD-00800-00	0.33 Lincoln City	0.00051
07-11-22-AD-01203-00	1.68 Lincoln City	0.00262
07-11-22-AD-01700-00	0.72 Lincoln City	0.00113
07-11-22-AD-02001-00	2.36 Lincoln City	0.00369
07-11-22-AD-02002-00	1.99 Lincoln City	0.00310
07-11-22-AD-02100-00	4.21 Lincoln City	0.00658
07-11-22-AD-02300-00	0.67 Lincoln City	0.00105

07-11-22-AD-02201-00	0.58 Lincoln City	0.00091
07-11-22-AD-02200-00	1.92 Lincoln City	0.00300
07-11-22-AD-02101-00	1.03 Lincoln City	0.00162
07-11-22-AD-02500-00	1.63 Lincoln City	0.00255
07-11-22-AD-02600-00	0.30 Lincoln City	0.00047
07-11-22-AD-02900-00	0.26 Lincoln City	0.00040
07-11-22-AD-02800-00	0.29 Lincoln City	0.00046
07-11-22-CD-13600-00	0.99 Lincoln City	0.00154
07-11-22-CD-13602-00	2.18 Lincoln City	0.00341
07-11-22-CD-13700-00	0.32 Lincoln City	0.00049
07-11-22-CD-13603-00	0.39 Lincoln City	0.00060
07-11-22-DA-00501-00	1.63 Lincoln City	0.00254
07-11-22-DA-00500-00	9.23 Lincoln City	0.01442
07-11-22-DB-00100-00	14.44 Lincoln City	0.02256
07-11-22-DB-01700-00	2.04 Lincoln City	0.00319
07-11-22-DB-01600-00	7.59 Lincoln City	0.01185
07-11-22-DB-01900-00	1.68 Lincoln City	0.00262
07-11-22-DC-00201-00	2.82 Lincoln City	0.00441
07-11-22-DC-00100-00	2.47 Lincoln City	0.00386
07-11-22-DC-00200-00	6.00 Lincoln City	0.00938
07-11-22-DC-03100-00	1.30 Lincoln City	0.00204
07-11-22-DC-03200-00	0.10 Lincoln City	0.00016
07-11-22-DC-03300-00	0.32 Lincoln City	0.00049
07-11-22-DC-03400-00	0.48 Lincoln City	0.00075
07-11-22-DC-06103-00	0.99 Lincoln City	0.00154
07-11-22-DC-06100-00	10.33 Lincoln City	0.01614
07-11-22-DC-06101-00	0.57 Lincoln City	0.00089
07-11-27-AB-00500-00	0.11 Lincoln City	0.00018
07-11-27-AB-00502-00	7.28 Lincoln City	0.01137
07-11-27-AC-00301-00	6.75 Lincoln City	0.01055
07-11-27-BD-00101-00	4.66 Lincoln City	0.00727
07-11-27-BD-00104-00	0.97 Lincoln City	0.00151
07-11-27-BD-00100-00	2.17 Lincoln City	0.00338
07-11-27-BD-00103-00	1.43 Lincoln City	0.00223
07-11-27-BD-00300-00	6.98 Lincoln City	0.01091
07-11-27-BD-00201-00	0.16 Lincoln City	0.00026
07-11-27-BD-00200-00	0.35 Lincoln City	0.00055
07-11-27-CA-05500-00	0.41 Lincoln City	0.00065
07-11-27-CA-05600-00	0.15 Lincoln City	0.00024
07-11-27-CA-05700-00	0.08 Lincoln City	0.00012
07-11-27-CA-05800-00	0.17 Lincoln City	0.00027
07-11-27-CA-05900-00	0.82 Lincoln City	0.00128
07-11-27-CA-05400-00	0.86 Lincoln City	0.00134
07-11-27-CA-06000-00	0.25 Lincoln City	0.00039
07-11-27-CA-06100-00	0.25 Lincoln City	0.00040
07-11-27-CA-06101-00	0.13 Lincoln City	0.00020
07-11-27-CD-00107-00	1.27 Lincoln City	0.00199
07-11-27-CD-10000-00	0.30 Lincoln City	0.00047
07-11-27-CD-00102-00	2.09 Lincoln City	0.00326
07-11-27-DB-00200-00	1.52 Lincoln City	0.00238
07-11-27-DB-00300-00	1.80 Lincoln City	0.00281
07-11-27-DB-00400-00	0.45 Lincoln City	0.00071

07-11-27-DB-00301-00	0.32 Lincoln City	0.00049
07-11-27-DB-00500-00	1.74 Lincoln City	0.00272
07-11-27-DB-00700-00	0.47 Lincoln City	0.00073
07-11-27-DB-00600-00	0.06 Lincoln City	0.00009
07-11-27-DC-00200-00	0.36 Lincoln City	0.00056
07-11-27-DC-00302-00	0.62 Lincoln City	0.00096
07-11-27-DC-02602-00	0.94 Lincoln City	0.00147
07-11-27-DC-02400-00	0.34 Lincoln City	0.00054
07-11-27-DC-02300-00	0.17 Lincoln City	0.00027
07-11-27-DC-02200-00	0.26 Lincoln City	0.00041
07-11-27-DC-02605-00	1.29 Lincoln City	0.00201
07-11-27-DC-02100-00	0.17 Lincoln City	0.00027
07-11-27-DC-02000-00	0.41 Lincoln City	0.00065
07-11-27-DC-02601-00	0.92 Lincoln City	0.00144
07-11-27-DC-00800-00	2.60 Lincoln City	0.00407
07-11-27-DC-00801-00	0.97 Lincoln City	0.00152
07-11-27-DC-02607-00	0.23 Lincoln City	0.00036
07-11-34-DA-00600-00	0.37 Lincoln City	0.00058
07-11-34-DA-00700-00	0.24 Lincoln City	0.00037
07-11-34-DA-00200-00	1.35 Lincoln City	0.00211
07-11-34-DA-00300-00	0.51 Lincoln City	0.00080
07-11-34-DA-00100-00	2.50 Lincoln City	0.00390
07-11-34-DA-00500-00	0.10 Lincoln City	0.00016
07-11-34-DA-01000-00	0.11 Lincoln City	0.00017
07-11-34-DA-00400-00	0.21 Lincoln City	0.00032
07-11-34-DA-01101-00	0.14 Lincoln City	0.00022
07-11-34-DA-01100-00	0.27 Lincoln City	0.00041
07-11-34-DA-01200-00	1.11 Lincoln City	0.00174
07-11-34-DA-04800-00	1.08 Lincoln City	0.00169
07-11-34-DA-04803-00	0.70 Lincoln City	0.00110
07-11-34-DA-05000-00	1.60 Lincoln City	0.00250
07-11-34-DA-05301-00	0.10 Lincoln City	0.00016

Total Acres:

7561.10 Total Miles:

11.96861

EXHIBIT Q

Pacific Ocean

18

101

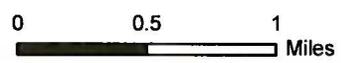
Devils Lake

Siletz Bay



**City of  
Lincoln City**  
**Lincoln City  
Draft Enterprise Zone**  
April 2014

-  Draft Enterprise Zone 175 acres
-  City Limits
-  Urban Growth Boundary



LINCOLN COUNTY ENTERPRISE ZONE APPLICATION – PAGE 3

LEGAL DESCRIPTION OF ZONE BOUNDARIES

**Lincoln County Unincorporated Area:** The tax lots as listed.

**City and Port of Newport:** All that portion of the City of Newport lying south of Yaquina Bay, plus the tax lots as listed:

**City of Toledo:** All of the City of Toledo.

**City of Waldport:** All of the City of Waldport.

**City of Lincoln City:** The tax lots as listed.

TOTAL SIZE = Just under 12 square miles.

## Lincoln City Enterprise Zone Final Proposed Taxlot List

07-11-11-AB-02100-00
07-11-11-AB-02101-00
07-11-11-AB-02102-00
07-11-11-AB-05400-00
07-11-11-BD-00103-00
07-11-11-BD-00500-00
07-11-11-BD-00602-00
07-11-11-BD-00603-00
07-11-11-BD-00702-00
07-11-11-BD-00802-00
07-11-14-CC-00200-00
07-11-14-CC-00300-00
07-11-14-CC-00400-00
07-11-15-DA-00100-00
07-11-15-DD-00100-00
07-11-15-DD-00101-00
07-11-15-DD-00200-00
07-11-15-DD-00300-00
07-11-15-DD-00701-00
07-11-22-AA-01300-00
07-11-22-AA-02200-00
07-11-22-AA-02300-00
07-11-22-AA-02900-00
07-11-22-AA-04500-00
07-11-22-AD-01200-00
07-11-22-AD-01202-00
07-11-22-AD-01203-00
07-11-22-AD-01204-00
07-11-22-AD-01206-00
07-11-22-AD-01207-00
07-11-22-AD-01700-00
07-11-22-AD-02001-00
07-11-22-AD-02200-00
07-11-22-AD-02201-00
07-11-22-AD-02300-00
07-11-22-AD-02500-00
07-11-22-AD-02600-00

07-11-22-AD-02800-00
07-11-22-AD-02900-00
07-11-22-DA-00501-00
07-11-22-DB-01700-00
07-11-22-DB-01900-00
07-11-22-DC-00201-00
07-11-26-00-00603-00
07-11-27-BD-00100-00
07-11-27-BD-00103-00
07-11-27-BD-00104-00
07-11-27-DB-00200-00
07-11-34-AD-00500-00
07-11-34-AD-00600-00
07-11-34-AD-00700-00
07-11-34-AD-00800-00
07-11-34-AD-00900-00
07-11-34-AD-01000-00
07-11-34-DA-00100-00
07-11-34-DA-00200-00
07-11-34-DA-00300-00
07-11-34-DA-00400-00
07-11-34-DA-00500-00
07-11-34-DA-00600-00
07-11-34-DA-04800-00
07-11-34-DA-04803-00
07-11-34-DA-05000-00
07-11-34-DA-05301-00

The City of Newport Public Works

169 S.W. Coast Highway

Newport, OR 97365

Coast Guard City, U.S.A.



VI.C

phone: 541.574.3366

fax: 541.265.3301

[www.newportoregon.gov](http://www.newportoregon.gov)

Home Port of NOAA Pacific Fleet

Sister City: Mombetsu, Japan

## MEMO

**Date:** April 8, 2014

**To:** Cindy Breves, Executive Assistant

**From:** Robert Fuller, PW Administrative Assistant

**Subject:** Motion to Modify Airport Committee member requirement

---

At the monthly meeting of The Newport Airport Committee held March 11, 2014, the Committee moved to request the Newport City Council revise City Municipal Code 2.05.025, to increase the number of allowed non-Newport resident Airport Committee members from one allowed, to two allowed.

As currently worded, the section reads, in part, "One member may be a non-resident." The proposed new wording would read, "Up to two members may be non-residents."

Please refer to the attached is Section 2.05.025 of the Municipal Code titled "Airport Committee".

retirement plan or the trust document to the City Council.

F. The Retirement Trustee shall meet at least quarterly.

#### **2.05.025 Airport Committee**

A. The Airport Committee shall include five full members. The mayor, the city manager and the airport director shall serve as non-voting ex officio members of the Airport Committee, but are not required to attend all meetings. One member may be a non-resident. Only full members shall be counted for quorum purposes.

B. The Airport Committee shall have the authority and responsibility to:

1. Recommend rules and regulations for the Newport Municipal Airport.
2. Recommend policies governing the use of airport property.
3. Review and report to the Council on matters referred to it by the Council.
4. Make studies or reports relating to the Newport Municipal Airport.
5. Promote the Newport Municipal Airport.

#### **2.05.030 Library Board**

A. The Library Board shall consist of five members. The Library Director shall serve ex officio and may participate in all discussions but shall have no vote.

B. The Library Board shall have the following duties and functions:

1. Prepare policies on library operation and service, including general library operation; acquisition, use and disposition of library property; and coordination of library service with other local governments.
2. Make recommendations to the City Council regarding the appointment of the library director, the library budget, and library facilities.

#### **4.05.010 PURPOSE AND SCOPE**

The purpose of this Chapter is to provide revenue for municipal purposes and to provide for the health, safety, and welfare of the citizens of Newport through the regulation of businesses, occupations, and trades. A business need not be located within the city in order to be subject to the provisions of this Chapter. This Chapter serves the public interest by mandating that business will be carried on in compliance with applicable laws and in a manner that protects the public's health, safety, and welfare. The licensing provisions of this Chapter are enacted pursuant to the City Charter, Section 4, and the city's home rule authority as provided in the Oregon Constitution, Article XI, Section 2.

The business license fee shall be in addition to, and not in lieu of, any other license or permit fee, charge, or tax required under any other Municipal Code section or city ordinance. The business license required by this Chapter shall not be construed to constitute a permit to engage in any activity prohibited by law nor as a waiver of any other regulatory or license requirement imposed by the city or by federal, state, or local law.

#### **4.05.015 DEFINITIONS**

**Business** - Any enterprise, establishment, store, shop, activity, profession, or undertaking doing business of any nature within the city, whether conducted directly, indirectly, or cooperatively, including the rental of real property as defined in this ordinance. "Business" does not include the on-premises sale of used household goods by a person who resides on the premises (a yard or garage sale), so long as the sale is conducted no more than four days in any calendar year. As used in this ordinance, the phrase "doing business" means an act or series of acts performed in the course or pursuit of a business activity for more than twenty (20) hours in one calendar year.

**City Manager** - The City Manager of the City of Newport or the City Manager's designee.

**Consignment Store Merchants** - Persons who own goods and enter into an agreement with a consignee/seller to sell or market those goods. Consignment store merchants occupy space within a fixed facility or building which is owned or

operated by consignee/seller for the purpose of displaying and selling such goods.

Employee - Any person who works within the city in the service of another person (the employer) and whose work performance details are controlled by the employer. Employees may be part-time or full-time and the number of employees will be measured using a full-time equivalent computation, in accordance with any applicable city rules.

Endorsement - Standards established by the city which a business license applicant must satisfy or make progress toward satisfying prior to the city issuing a business license. Any city-approved endorsements will be clearly noted on the business license.

Not-for-Profit Entity - Any entity organized and operated exclusively for a religious, charitable, humanitarian, or educational purpose and for whom the United States or the State of Oregon has granted an exemption from the payment of income tax on that basis.

Person - Any and all natural and legal persons, including individuals or public or private corporations, firms, partnerships, associations, organizations, syndicates, joint ventures, societies, or any other group or entity acting as a unit of individuals.

Rental of Real Property - The rental or offering for rent of real property. Rental of real property includes, but is not limited to, the following types of properties rented or offered for rent: hotel or motel rooms, automobile or tourist courts, boarding houses, bed and breakfast rooms, mobile homes or trailer parks, residential or vacation homes, multi-family dwelling units, moorage units, and commercial properties. Notwithstanding anything to the contrary above, an owner's rental of no more than one residential dwelling unit for thirty (30) days or more shall not constitute the rental of real property.

Special Event Vendors - A person engaged in selling or offering for sale any food, beverage, merchandise, or service within the city during a special event for which the event organizer has obtained a valid business license. Special event vendors must possess all other necessary city, county, and state permits and authorizations.

#### **4.05.020 FEES; EXEMPTIONS**

This ordinance hereby establishes:

1. Business Application Fee; and
  2. Business License Annual Fee.
- A. All persons applying for a new business license shall pay both the business application fee and the business license annual fee, unless otherwise exempt as provided in Section E. below. Persons renewing an existing, non-expired business license shall pay only the business license annual fee, unless otherwise exempt as provided in Section E. below.
- B. The business application fee amount shall be charged when a new or expired business license application is processed and shall be limited to recovering the Finance Department's administrative cost of processing the application. The business application fee shall be set from time to time by resolution of the City Council. Persons holding expired business licenses will be charged a new business application fee to re-apply.
- C. The business license annual fee shall be charged annually at a rate to be determined by resolution of the City Council, such rate being either a flat rate for all businesses or a progressive rate based on number of employees.
- D. No person shall do business within the city without a current, valid city business license, unless exempt from this ordinance. No person shall do business within the city as an employee, agent, or representative of another person unless the owner, principal, employee, agent, or representative is exempt or has a current, valid city license for that business, no matter where the principal offices of that business are situated.
- E. Exemptions from the Business License Annual Fee.
1. Exempt persons listed in this subsection shall not be charged a business license annual fee. Persons listed in this subsection and doing business within the city must still apply for a business license on the forms provided by the city and must still pay the business

application fee, unless specifically exempted from paying the business application fee below.

2. The following persons shall not be charged the business license annual fee:
  - a. A not-for-profit entity, as defined in this ordinance.
  - b. A special event vendor, as defined by this ordinance.
  - c. A consignment store merchant, as defined in this ordinance.
  - d. Persons expressly exempted from paying a city business license fee under any other lawful provision of federal, state, or city law, provided that the person claiming the exemption shall show proof of such exemption satisfactory to the City Attorney.
  - e. Persons engaged in delivery of goods inside the city from points outside the city.
  - f. Any city, county, state agency, special district, school district, or other government entity.

F. **Special Event Vendor and Consignment Store Merchant Exemptions.** In addition to any other exemption provided in this ordinance, special event vendors and consignment store merchants shall be exempt from all requirements of this ordinance, including but not limited to, the obligation to register, the obligation to pay a business application fee, the obligation to obtain a valid business license, and the obligation to pay the business license annual fee, as long as the following requirements are met:

1. The organizer of the special event or the owner/operator of the consignment store obtains a valid business license which lists all special event vendors or consignment store merchants. Such list must be updated by the organizer of the special event or the owner/operator of the consignment store upon any significant change in the number or type of special event vendors or consignment store merchants;

2. The special event vendor or consignment store owner/operator obtains all other necessary city, county, or state permits or licenses and complies with all applicable city, county, or state laws and regulations.

#### **4.05.025 MULTIPLE LOCATIONS OR BUSINESSES**

- A. A person who does the same or substantially similar business from more than one location need only obtain one business license. A person who does business as more than one business entity or whose businesses are not substantially similar in nature shall obtain separate business licenses and shall pay any applicable business license fees for each such entity or business.
- B. An owner of real property for rent who rents or offers for rent more than one dwelling unit of real property need only obtain one business license. In determining whether different business entities or activities should be categorized as only one business or as multiple businesses for the purposes of this ordinance, the City Manager shall consider the normal and ordinary customs and usages of business, including but not limited to: consideration of how the businesses are registered with other governmental agencies, such as the Oregon Secretary of State and the Internal Revenue Services.

#### **4.05.030 APPLICATION**

- A. All persons doing business within the city shall, on a form provided by the city, apply for and maintain a business license unless exempt under this ordinance.
- B. The application shall show: the corporate, trade, or registered name of the business; the complete address(es), email address(es), and telephone number(s) of the principal office of the business and any other locations or addresses; the location or address of any real property offered for rent, including the number of dwelling units; the name(s), email address(es), and telephone number(s) of the owner(s) or principal(s); the number of employees; the state of incorporation if the business is a corporation; and any applicable endorsements. On the basis of that application, the city shall compute the business license annual fee for that license according to the schedule of fees that the City Council shall establish from time to time by resolution.

The applicant shall warrant by his/her signature that all representations made on the application form are the truth to the best of his/her knowledge. Any misrepresentations on the application shall constitute a violation of this ordinance.

- C. All applications shall be submitted before the person first does business in the city. A license shall be valid from the date of issuance until June 30<sup>th</sup> of the next calendar year. Applications received after December 31 will be charged one-half of the business license annual fee, as determined by City Council resolution.
- D. Upon receipt of a signed and completed application for a business license, the city shall inform the applicant of any business application fees and business license annual fees due and process the application within 30 days or notify the applicant of the delay. Such fees shall be due and payable on date the application is submitted or by July 1st for non-expired renewals. The city will endeavor to process all applications and renewals within the estimated time.

#### **4.05.035 ISSUANCE; DISPLAY; TRANSFER**

- A. The city shall issue a written receipt when a business license is approved and any applicable business application fees and business license fees are paid in full. The receipt shall constitute a business license and shall be public notice that the person named thereon is licensed to do business in the city. A person who is required by this ordinance to have a business license shall cause the receipt to be prominently posted in a place available to the public at the principal location or office of the business for which the license is issued. If the principal location or office of the business is not located within the city, the business' employee, agent or representative must possess a copy of the license when doing business within the city. For business licenses issued to persons who offer real property for rent, the license need not be posted, but shall be made available upon city's request.
- B. A business license may be transferred to another party if:
  - 1) the other party becomes the owner of the business;
  - 2) no other significant change in the nature of the business has occurred;
  - 3) if the existing business license contains no endorsements; and
  - 4) if the new owner contacts the

city to amend the business license application to accurately reflect the new ownership and any other new information. No other transfer or assignment of any license issued under this chapter shall be valid or permitted. Upon a significant change of the nature of the business, a new business license is required.

#### **4.05.040 DISCLOSURE; DELINQUENCY**

- A. Persons required to possess a business license shall, upon the city's request, make available all records, accounts and documents of every nature and in whatever media format which may tend to prove or disprove the applicant's statements on the business license application.
- B. A business license fee not paid in full within 30 days after it is due is delinquent and the city may avail itself of any and all remedies available to collect the fee, including but not limited to referring the delinquency to a collection agency and citing the person for a violation of the Newport Municipal Code. In addition, a delinquency charge of ten (10) percent of the business license fee due may be added to the fee that is otherwise due. This delinquency charge shall be charged for each successive 30-day period, or portion thereof, for which any amount is due and owing and remains unpaid, including any delinquency charges already imposed, up to a maximum penalty of twenty (20) percent of the license fee.

#### **4.05.045 ADMINISTRATION**

- A. The City Manager is responsible for the administration of this Chapter and will adopt reasonable policies, procedures, administrative rules, or regulations to carry out the purpose and intent of this Chapter and to ensure that any health or safety issues related to the applicant's business are identified prior to the city issuing a business license. The City Manager shall provide the City Council with a report of any administrative rule adoptions or amendments regarding this ordinance. The city may initiate the process for remediating any health or safety issues at any time, whether before or after the issuance of the business license.
- B. Violations of this Chapter or of any rules and regulations adopted by the City Manager pursuant to this Chapter shall be subject to the penalties provided within this

Chapter. No person shall willfully make any false or misleading statements to the City Manager regarding information relevant to the issuance of a business license.

#### **4.05.050 DENIAL OR REVOCATION**

- A. A license issued under the provisions of this chapter may be denied or revoked by the City Manager, after notice as provided below, for any of the following causes:
1. Fraud, misrepresentation or false statement contained in the application for a license or failure to supply the requested application information;
  2. A violation of this Chapter or of any city, county, state, or federal law or regulation;
  3. Conducting the licensed activity in an unlawful manner or in such a manner so as to constitute a breach of the peace, or to endanger or risk the health, safety, or general welfare of the public;
- B. Notice of denial or revocation of a license shall be given in writing to the applicant or licensee, setting forth specifically the grounds of denial or revocation. A notice of denial may be given to the applicant at any time during the application review process. A notice of revocation shall be mailed to the licensee at the licensee's last known address at least ten (10) calendar days before the date of the revocation. The last known address is deemed to be the address provided to the city by the applicant on the business license application unless the applicant thereafter gives the city written notice of a different address.

*(Chapter 4.05 adopted by Ordinance No. 2030 on March 19, 2012; effective July 1, 2012.)*

#### **4.05.055 VIOLATIONS**

- A. A violation of this Chapter shall constitute a civil violation of the laws of Newport and shall be prosecuted at the city's discretion by the filing of a complaint filed in municipal court or in an Oregon state court of proper jurisdiction. Any person found to have violated this Chapter shall be subject to a civil penalty not to exceed five hundred dollars (\$500.00).
- B. The conviction of any person for violation of this Chapter shall not act or relieve such person from the requirement to register a business or obtain a business license. The penalties imposed by this section are in addition to and not in lieu of any other remedies available to the city.
- C. In the event any provision of this chapter is violated by a firm or corporation, the officer, officers or individuals responsible for the violation shall be personally subject to the penalties imposed by this section.

#### **4.05.060 APPEAL**

- A. Any person aggrieved by the City Manager's (i) denial of a business license application; (ii) revocation of a business license; (iii) assessment of business application fee or business license annual fees; or (iv) application of any rules or regulations pertaining to this Chapter; shall have the right to appeal to the City Council. The applicant or licensee shall file with the City Council a written statement setting forth fully the grounds for the appeal within twenty (20) calendar days after either: (i) the day the notice of denial is issued or the day the revocation is mailed; (ii) the day the disputed fees are assessed; or (iii) the day applicant or licensee alleges that the rules or regulations were misapplied.
- B. The City Council shall set a time and place for a hearing on the appeal within twenty (20) calendar days after receiving the appeal. Notice of the appeal hearing shall be mailed to the applicant or licensee's last known address at least ten (10) calendar days prior to the hearing. During the hearing, the applicant or licensee shall have an opportunity to present in writing or orally the grounds for the appeal. The decision and order of the City Council on such appeal shall be final and conclusive.





GREATER NEWPORT CHAMBER OF COMMERCE

555 SW Coast Highway • Newport, Oregon 97365-4934
(541) 265-8801 • FAX: (541) 265-5589 • 1-800-262-7844
www.newportchamber.org
E-mail: lorna@newportchamber.org

March 17th 2014

Peggy Hawker, City Recorder/Special Projects Director
City of Newport
169 SW Coast Highway
Newport, Oregon 97365

Dear Ms. Hawker,

Thank you for allowing the Greater Newport Chamber of Commerce the opportunity to respond to your request for proposal for the City of Newport's Tourism Promotion Services. This proposal response is designed to demonstrate our strong commitment to serving the City of Newport for Tourism Promotion, Fulfillment and Development in the past, present and future.

Newport is a prime tourist destination that encounters over 2.5 million visitors each year. Tourism is one of our primary economic drivers. There are over 1500 jobs in Newport directly related to tourism. Marketing and managing Newport as a premier destination requires a carefully planned approach and delivery of service. GNCC is the recognized Destination Marketing Organization (DMO) for Newport by the State of Oregon Tourism Commission. We are strategically positioned on the frontline of tourism services. We have the unique ability to be flexible and responsive when opportunities or challenges arise. We seek out tourism development opportunities and respond in a manner which keeps Newport ahead of other destinations competing for visitors.

The proposal provides a response to your RFP requirements and is inclusive of information about additional services and the program of work that the Greater Newport Chamber of Commerce carries out each day as an added benefit to the City, many of which are beyond the requirements of the scope of services outlined in the RFP.

Building partnerships with industry peers such as Travel Oregon, Oregon Destination Marketing Organizations, Oregon Tour and Travel Alliance, Lincoln City Visitors Association and Oregon Coast Visitors Association has created opportunities for us to leverage our resources with others.

We participate with these partners for trade shows, marketing opportunities, targeting local, regional and state-wide issues, hosting familiarization tours, professional development and more. Extending our outreach with others in the industry allows us to have far more impact with our efforts and dollars spent.

GNCC has proven over the years to have a program of work that complements the marketing efforts set forth by the City of Newport's Destination Newport Committee. Our program in promotion, fulfillment and development is designed to increase the frequency, duration and quantity of convention, group and leisure visits to Newport. An additional investment toward the contract services by the Chamber of nearly \$160,000 each year gives us further outreach, stronger impact and higher success at achieving goals.

We look forward to continuing Tourism Promotion services for the City of Newport.

Sincerely,

Lorna Davis
Executive Director
lorna@newportchamber.org





**Greater Newport Chamber of Commerce**  
**555 SW Coast Hwy • Newport Oregon 97365**  
**541-265-8801 • 1-800-COAST-44 • Fax 541-265-5589**  
**[www.newportchamber.org](http://www.newportchamber.org)**



# Contact Information:

## Greater Newport Chamber of Commerce

555 SW Coast Hwy. Newport, Oregon 97365

1-800-COAST-44

[www.newportchamber.org](http://www.newportchamber.org)

## Primary Contact:

Lorna Davis

Executive Director

[lorna@newportchamber.org](mailto:lorna@newportchamber.org)

541-265-8801

Cellular: 541-270-1810



The Greater Newport Chamber of Commerce is a 501-(c)-(6) organization which was established in 1925 and incorporated on May 6<sup>th</sup> 1948. The Greater Newport Chamber of Commerce is organized to unite the efforts of citizens in promoting the civic, commercial, agricultural, tourist, marine and industrial welfare of the City of Newport and its surrounding economic area.

With over 600 members, and a Board of Directors who represent a dynamic cross-section of community leaders, it is evident that the Greater Newport Chamber of Commerce has strong and integral ties within our community.

Further, our efforts in Tourism Promotion and Development are steered by the following statement:

***“The Greater Newport Chamber of Commerce will facilitate a multifaceted program of work designed to increase the frequency, duration and quantity of convention, group and leisure visits to Newport.”***



# Narrative

The Greater Newport Chamber of Commerce has been engaged in Tourism Promotion, Fulfillment and Development for nearly two decades. Our relationship with the City of Newport and the contract for Tourism Promotion and Development spans for well over a dozen years. We have built a strong relationship with the City and understand the needs of the City relating to this contract.

**The City's current marketing program**– The Destination Newport Committee is an all volunteer committee which utilizes many forms of media to capture attention of potential visitors putting Newport at the top-of-mind in travel decision making. Marketing through print, outdoor, radio, and online in target market areas create inquiries via phone, email and walk-in visitors. We are supportive of the goals and strategies of Destination Newport. In order for the marketing investment to work, the program to respond to the interest created as a result of this marketing has to be equally strong. The Newport Chamber has been the response team operating the visitor center for many years.

We respond to each request personally with printed and online material, and various other forms of information to suit each need. Our office and staff are the welcome gate into our community, we take pride in the service they provide our visitors each day. Our office and 24 hour Visitor Kiosk is visible, easily accessed and a physical place where visitors can stop and gather information.

Another crucial element to Tourism Fulfillment, Promotion and Development is our Sales Mission program. Through involvement at trade shows, travel shows, and conventions, and through partnerships with other organizations who are involved in Tourism Promotion and Development, GNCC is able to keep face to face with decision makers in leisure, group and convention travel. Each year we participate in both domestic and international shows, meetings and conventions. We have developed, built and maintained partnerships with tour and travel operators, media/journalists and other key people in the industry, providing valuable and timely information about Newport. We actively sell and promote Newport, its authenticity and all of the opportunities that make a visit here memorable.

Our Sales Mission presence and direct involvement that we have developed over the years is crucial not only to maintain but continue to build upon. As our State Tourism partners continue to cultivate and grow business from international and domestic markets, our visibility and participation is a must, when our competition is strongly represented.

GNCC keeps up with industry trends through affiliations with other tourism organizations and experts in the field. Many of the organizations (such as the Oregon Tourism Commission, Oregon Destination Marketing Organization, Oregon Tour and Travel Alliance, Western Association of Convention and Visitors Bureaus, and others) provide educational and networking opportunities throughout the year. They offer valuable resources and support that keep us up to date with industry trends, opportunities and challenges and keep us informed about issues that the Tourism industry faces.

*Continued.....*



## *Narrative Continued....*

We are pleased to provide continuity of the Newport Brand that has been created in our management of the Discover Newport website, e-newsletter, and social media outlets. When we took over maintaining the website-which had been rebuilt and branded a few years before, we faced the immediate challenge of having to rebuild it from scratch without losing the branding or integrity. Though it was a challenge, we did it seamlessly. Currently we incorporate contests, keep a comprehensive community calendar, update the website and social media channels daily, provide press and news releases through these mechanisms and to the media and we optimize our web presence. We continue to develop and utilize new forms of outreach as they become available as part of our growth and staying in tune with the trends of marketing.

Destination marketing is our specialty which has proven beneficial for our participation on the Destination Newport Committee. In recent years the committee was granted permission from council to act without an advertising agency, in turn our participation became more crucial. Fielding nearly all of the media and marketing requests to be presented to the committee has become part of our day to day operations.

As the DMO for the state we are called upon to facilitate group and research visits to Newport from Tour Operators, Travel Agents and Product Managers and Media. We provide information, connect them with local attractions, activities lodging facilities, and personally host them in an effort to showcase what Newport has to offer.

We have an active Hospitality Committee that is dedicated to promoting and rewarding good customer service through our monthly Employee of the Month program. The committee conducts an annual Tradeshow and Training called "Know your Newport" designed to train front-line employees to provide good customer service and arm them with information about Newport to share with visitors. Additional customer service training is available to area businesses year-round through private meetings or public seminars.

Recognizing that certain times of the year are economically slow (shoulder season of October through May) the Chamber develops contests and programs to help boost local business during these times. Examples are our quarterly online contests and e-newsletter, the value season Glass Treasures promotion, and the Seafood & Wine Festival to name a few.

Tracking occupancy, visitor spending, and visitor traffic are just a few of the statistics that the Chamber facilitates. Comparisons are done with room tax spending to identify trends. We are positioned to receive business information that helps us gain insight into programs and events that work well.

Our contract with the City of Newport is unique. We invest additional funding of our own to complete the program of work for Tourism Promotion, Fulfillment and Development. We are strongly committed and believe that we have demonstrated throughout the years that we are a capable and willing partner in the development and implementation of Tourism Promotion concepts that put Newport into the minds of visitors and puts "heads in beds."

In addition to our industry affiliations, our organization has a unique attribute that leverages dollars-spent even further, Volunteers. The total Program of Tourism Promotion for a destination of our size, with over 2-1/2 to 3 million visitors a year requires a large number of man hours. It would be near impossible to fund the staff level or man power required to carry out all of our programs of work, especially as they relate to tourism.

Volunteers on our committees and at the Board level keep the costs that are associated with a contract of this nature to an amount that is effective and affordable. Thousands of volunteer hours are given each year to Chamber programs.

Our proposal for the scope of services outlined in the RFP follows, and offers further detail about our experience in each of the areas. We would be happy to provide any additional information should it be needed.



# SCOPE OF SERVICES



# Scope of Services

## Visitor Information;

- Visitor Guide
- Calendar of Events
- Map Exploring Newport A-Z
- Laminated Local Information *(2x yearly)*
- Oregon Calendar of Events  
*(Submitting primary local events for inclusion in the annual publication)*
- Community Tourism DVD
- Facility Guide
- Respond to requests for information generated by the City's advertising efforts

## Support the Goals of the City's Destination Newport Committee:

- Support all Destination Newport Committee Programs
- Provide response and coordinate marketing opportunities and inquiries for DNC
- Participate on the Destination Newport Committee
- Fulfill Destination Newport Committee Requests related to Tourism  
or Relocation Marketing
- Demonstrate intimate knowledge of Newport
- Promotion of Newport and the surrounding economic area as appropriate

## Visitor Kiosk:

- Maintain 24 hour Information Kiosk
- Provide information about Newport to other regional kiosk centers

**The three scopes of service described above are part of one cost center. Our visitor information and printed collateral are part of the means in which we support the goals for the Destination Newport Committee and the City of Newport's marketing efforts.**

*Continued.....*



# Scope of Services

*Visitor Information, Support the Goals of the City's Destination Newport Committee, Visitor Kiosk-Continued.....*

## Visitor Center Program;

**PROPOSAL AND EXPERIENCE:** *The Greater Newport Chamber of Commerce will produce printed pieces as stated above in an effort to promote Newport to visitors and potential visitors. The pieces will be distributed per request and in response to the City of Newport's marketing efforts, at trade shows, and by distribution to local businesses and regional visitor centers. Visitor requests for information will be responded to via, phone, fax, email, mail or in person and always in a timely professional manner. We produce a community profile piece which is the tool utilized to fulfill requests for relocation and economic information about Newport. All of the above information is driven by our unique ability to offer detailed knowledge of the Newport area. GNCC has printed and distributed the above collateral pieces for a number of years. Changes are made with each printing to reflect the most current and accurate information. We also respond to well over 25,000 emails, 23,000 visitor/kiosk walk-ins and several thousand phone calls per year from visitors and potential visitors.*

*We will support all Destination Newport Programs. The Greater Newport Chamber of Commerce has supported the City's marketing efforts by participation on the Destination Newport Committee. In the most recent years, the committee elected not to hire an agency and focus rather on tangible media buys which created some additional work that the Chamber transitioned into part of our program of work. This requires fielding marketing and media opportunities on a daily basis to organize for the committee to consider. While this is extra involvement and work, we feel participating and contributing in this fashion allows us to align our promotion efforts with that of the City and rather than compete, we are able to offer a seamless approach to Tourism Fulfillment, Promotion and Development.*

*The Greater Newport Chamber of Commerce is located at Fall Street and Highway 101 in Newport and offers a highly visible location. The Center has a 24 hour information Kiosk which has recently been refreshed with a new look for easier access, providing visitors information around the clock when the office is not staffed. The GNCC also provides other regional information centers, CVBs, Chambers etc. with Newport Visitor Guides, maps and other area information for distribution to their visitors.*

**Estimated Cost of the above Services .....\$173,550**



# Scope of Services

## Visitor Web Page, Social Media:

- Hosting, maintaining, developing and updating DiscoverNewport.com
- Hosting, maintaining, developing and updating the Social Media Channels of Discover Newport
- Hosting visitor landing pages within our website that supplement the Discover Newport website
- Calendar of Events
- Photographs
- Press Release Page
- Group Tour Information
- Facility Information
- Shuttle Maps and Business Information
- Attraction Information
- Business Information
- Responses to e-mail and social networking
- Content development as necessary to keep website up to date

*PROPOSAL AND EXPERIENCE: The Greater Newport Chamber of Commerce will provide Visitor Information within their website. The GNCC website will continue to include the above information for the purpose of visitor development and enhancement. Our website will complement the Discover Newport Website. The Chamber will host, maintain, develop and update the Discover Newport website. All of the above elements will be incorporated and include additional features such as contests and more. The Chamber will continue to develop, implement and maintain a social media presence for Discover Newport utilizing Facebook and other social media outlets, inclusive of e-newsletters, blogs, Twitter and media as deemed appropriate and necessary to the Discover Newport website.*

**Estimated Cost of the above Services.....\$37,650**



# Scope of Services

## Media Information:

- Up to date Media Kit
- Digital Photo Library
- Newspaper /Journalist Article Support
- Support/Host Domestic and International Travel Writers
- Produce Regular Seasonal Press Releases
- Develop and Maintain Relationships with Media
- Work with Travel Oregon and other Tourism entities on Familiarization Tours for Journalists

## Cooperative Involvement with Local, Regional, and State Visitor Organizations:

- Represent Newport at domestic and international trade shows
- Work cooperatively with other agencies to attract tourists during shoulder and off season

## Hospitality Training:

- Develop and implement training for Hospitality Industry within the corporate limits of Newport

## Value Season Promotion:

- Develop programming to enhance and support Tourism during the off and shoulder seasons

*Continued on next page.....*



# Scope of Services

*Continued.....*

## **Tourism Development/Fulfillment Program;**

*PROPOSAL AND EXPERIENCE: The Greater Newport Chamber of Commerce will continue to build and maintain relationships with journalists, both domestic and international and a number of media outlets. Our purpose is to maximize exposure for Newport’s vast array of Tourism opportunities. We are a resource looked to for media kits, a photo library, press releases, article support and more. We will continue to host and provide support for domestic and international travel writers and other journalists and will cooperate with Travel Oregon and other Tourism partners with familiarization and informational area tours.*

*GNCC has and continues to work closely with the Oregon Tourism Commission dba Travel Oregon, Oregon Coast Visitors Association, Oregon Tour and Travel Alliance, Oregon Destination Marketing Organizations, Western Association of Visitors and Convention Bureaus, Lincoln City Visitors and Convention Bureau, as well as others throughout the region. We participate and will continue to participate in trade and travel shows, board and membership participation and other cooperative efforts with these agencies. The Sales Missions and trade and travel shows that we participate in put us in front of as many as 175,000 (or more) people each year, including everything from booth and collateral presence to pre-arranged meetings with press, travel and tour operators and key industry leaders and decision makers both on the domestic and international markets.*

*The Greater Newport Chamber of Commerce has a Hospitality program in place that includes individualized business training for employees and community wide seminars with industry experts speaking on topics such as “Great Customer Service” and other related topics. A comprehensive annual “Know your Newport” hospitality seminar (which includes a virtual city tour, a City Address by the Mayor, and relevant up to date area information) for front line employees who serve visitors to the area, occurs each year before the busy summer season begins. The committee organizes the Employee of the Month and Employee of the Year program which recognizes local employees for excellence in customer service as well as other skills.*

*GNCC has a Value Season Promotion in November through January each year. The Glass Treasure Hunt giveaway is a popular program in place to draw visitors to our area during shoulder months. As many as 50 businesses participate in the promotion which is well marketed through press, advertising and online. Additional shoulder season programs are developed each year to entice additional visitors.*

**Estimated Cost of the above Services.....\$108,500**



# Scope of Services

## Statistical Reporting:

- Conduct Occupancy Surveys with the lodging community and provide quarterly data
- Collect data regarding visitor’s residences and how they learned about our area
- Collect other information as requested by the City

*PROPOSAL AND EXPERIENCE: The Greater Newport Chamber of Commerce will continue to conduct occupancy surveys with the lodging community and will provide monthly data. We will collect data regarding visitor residences and additional information such as how they learned about our area, and other relevant information. In addition, we will continue to collect data about visitor spending, trends and the impact it has on Newport and the hospitality industry as well as other visitor statistics as they relate to our response to the City of Newport’s marketing efforts. We will collect other data requested by the City.*

*(See related information attached)*

## Support of Group and Research Tours:

- Provide material and information to tour groups referred by Travel Oregon or similar organizations

*PROPOSAL AND EXPERIENCE: The Greater Newport Chamber of Commerce provides material, information and support to tour groups, group operators, travel agents and others who are referred by partner tourism organizations with the purpose of familiarizing them with Newport and our visitor opportunities. This is conducted via mail, email, and phone and in-person hosted tours of Newport in a professional and timely manner. We have offered these services for a number of years and our involvement meets the needs of each individual or group that is introduced to our area. It can be as simple as a phone call or email, or as extensive as a 1-3 day personal guide to Newport. These same services are also offered to journalists/media familiarization tours.*

**Media Information and Familiarization and Support of Group and Research Tours are combined services within our program of work.**

Estimated Cost of the above Services.....**\$14,850**



# Additional Chamber Programs

Other programs within the Chamber are also directly related to Tourism.

**Those that are listed here are not requirements of the RFP, yet are an integral part of our Tourism Development Program. The funding for these are separate from and not part of this proposal.**

## Beautification

This program was developed as a partnership with the City to aid with beautification efforts as part of the Visioning that occurred in 2005. We encourage businesses to have curb appeal through an awards program and some periodical contests. We feel that it is beneficial for visitors to have a pleasing visual experience in a City that has a clean and welcoming nature. It aids in efforts to increase the frequency of travelers visits to Newport.

The Highway Cleanup Program is part of the Beautification Program, and occurs once a month, April through September each year. Tons of trash and debris are collected and disposed of by our staff and volunteers each season.

**Estimated Expenses associated with program..... \$2800**

## Seafood and Wine Festival

For 37 years, the Greater Newport Chamber of Commerce has organized the Newport Seafood & Wine Festival. What had a meager beginning has turned into a yearly event that draws as many as 23,500 visitors to the festival and countless more who join them to Newport. The festival is always held on the last full weekend of February in an effort to draw business to our community during the off season. In 2012 we extended the Festival to a fourth day-Thursday. Lodging, retail, dining and other businesses benefit from the festival including at least 24 local non-profit service organizations who work in the booths or provide services to fundraise for their clubs/groups. **It is a conservative estimate that the Festival brings over 2 million dollars to the area in the course of the weekend.**

**Estimated Expenses associated with program..... \$425,000**

## Chamber Ambassadors

The Chamber Ambassadors are the welcome wagon of Newport. They promote our area at their yearly convention as well as in other communities. They get to know our businesses and community and provide “front door” service and support to visitors at the Chamber on weekends during the summer months. They are the ‘number one cheerleaders of Newport’!

**Estimated Expenses associated with program..... \$7800**



# Cost of Services Total and Request

Estimated Cost of Scope of Work .....\$334,550

Estimated Cost of Other Chamber Programs Related To Tourism  
**\$435,600**

**Proposed Amount Requested for Services  
By the Greater Newport Chamber of Commerce  
From the City of Newport**

***\$172,500***

The estimated cost of Tourism Promotion and Development and administration is greater than the amount we are requesting from the City of Newport. The Chamber offers an affordable means of Tourism Promotion for a portion of what the actual cost of services are.

**This benefit is an added value of the proposed contract.**

We have a shared goal with the City of Newport to improve the economics of our community through tourism promotion and development. We have proven, and hope to continue proving our commitment to that end.

If granted the contract for Tourism Promotion, the Greater Newport Chamber of Commerce is willing to grant the City the option to extend any contract awarded hereunder for two additional periods of one year each, under the same prices, terms and conditions.





# CHAMBER STAFF AND BOARD OF DIRECTORS



# The Chamber Team

The Greater Newport Chamber of Commerce currently has a staff of 5 full time employees and one 1/2 time employee.

Our staff includes Executive Director Lorna Davis, Assistant Director and Membership and Events Director-Sheena Scarberry, Bobbi Price-Tourism & Festival Coordinator- PR & Sponsorship Coordinator-Courtney Rand, Visitor Services & Leadership Lincoln Coordinator- Mike Yost, and Carol Adams-Visitor Services and Accounting.

In addition to staff, the Greater Newport Chamber of Commerce has a Board of Directors, who are volunteers, and a number of volunteer committees who aid in carrying out our program of work including those directly related to Tourism Promotion.

***Several thousand volunteer hours are given each year to accomplish goals and achieve success in Chamber programs.***

Some of the work experience that staff has includes:

- Twenty Seven years of marketing/advertising/promotional development and account management in print (and other) media including ad campaign and design development.
- Fourteen years Tourism Development/Sales and Marketing strategy- directly related to Newport
- Nine years serving Destination Newport Committee including Six years as Chairperson
- Multiple years (cumulative) of customer/visitor industry service
- Multiple years of press writing and coordinating
- Multiple years (cumulative) community event planning and facilitating
- Membership (including Board membership) and participation with Oregon Tour and Travel Alliance, Oregon Destination Marketing Associations, Oregon Festivals & Events Association, Western Association of Convention and Visitors Bureaus, Oregon Coast Visitors Association, Central Oregon Coast Association, National Tour Association (group tour organization) Society of Government Meeting Planners, Oregon State Chamber Board, Meeting Planners International and more
- Ongoing staff development at the annual Governors Conference on Tourism, other industry educational training opportunities, and Northwest Chamber Leaders.

Tourism Services are provided by each member of the Chamber staff. We have depth of knowledge about the industry, Newport and marketing.

***Continued.....***



## **Our Team continued...**

The following is an outline of how each team member contributes and supports in the area of Tourism Development at the Chamber.

**Lorna Davis, Executive Director:** Lorna is responsible for oversight for the entire program of work at the Chamber including all aspects of the Tourism Sales-Mission program. This includes Tourism Fulfillment, Development and Promotion, and the Chamber Sales Mission Program. She coordinates with the Oregon Tourism Commission-Travel Oregon, Oregon Tour and Travel Alliance, Oregon Coast Visitors Association, Oregon Destination Marketing Organization, Oregon Society of Association Management, Western Association of Convention and Visitor Bureaus, Society of Government Meeting Planners, National Tour Association and others. Lorna serves on the Destination Newport Committee, and coordinates response to that program. She is responsible for City Contract Administration, Service Organizations (local), Seafood & Wine Festival oversight, Budget development and oversight, Technical oversight, Grant writing, Media response, Familiarization Tour response and hosting, Human Resources and administration, and other Chamber programs of work oversight and development.

**Sheena Scarberry, Assistant Director & Membership & Events Director:** Sheena as the Assistant Director is the responsible party for the Chamber in Lorna's absence. Sheena manages Chamber membership, conducts business surveys to hear community needs and enhances services based on the findings. Sheena oversees the Chamber Ambassadors program and coordinates visitation and education for the group. She produces the Chamber Newsletter and other printed material, coordinates educational programs, luncheons, radio programs and many Chamber events. Sheena provides guidance and oversight to the office and staff and is responsible for Chamber Database records and Website Database records and oversight. Sheena is responsible for several fundraising events including our Annual Banquet and Balloon Auction among others.

### **Bobbi Price, Tourism & Festival Coordinator:**

Bobbi coordinates Social Media for all Chamber programs including, Young Professionals, Discover Newport, Greater Newport Chamber of Commerce and Seafood & Wine Festival, which she implemented and maintains daily. Bobbi is the staff assigned to the Discover Newport Website maintenance and development, and Social Media Campaign. She designs contests such as our annual photo contest which enhances our extensive photo library, and others that include prize giveaways to increase traffic on the website and interest in Newport. Having grown up here, Bobbi has an extensive knowledge of Newport, which she utilizes each day in her responsibilities. She is the staff liaison for the Hospitality Committee, the Seafood & Wine Committee, and the Young Professionals. She organizes response to group requests, and coordinates a number of Chamber programs and activities associated with Tourism and the above committees, including the Value Season Promotion, Know your Newport Tradeshow and several others. She works closely with lodging properties and local businesses. She assists with Trade shows and follow up details.

Bobbi is also the Seafood & Wine Festival Coordinator, providing a number of services related to the oversight of the Festival from Vendor coordination, to staff liaison for security, OLCC, Operations and more.

*Continued.....*



## **Our Team Continued...**

### **Courtney Rand, PR & Sponsorship Coordinator:**

Courtney is responsible for Chamber and Community press releases and coordinating and tracking their release and publication. She has a variety of visitor service responsibilities including managing the Discover Newport, Newport Chamber and Seafood & Wine websites calendar of events and press rooms. Courtney assists visitors with email, phone and personal response. She also reviews content of our printed material, website and other Chamber publications for accuracy and aesthetic value. Courtney co-coordinates several Tourism Programs including the Value Season promotions.

Courtney is the Seafood & Wine Festival Sponsorship Coordinator. She secures cash and in-kind contributions and maintains contracts with sponsors to assist with funding the event. She develops and maintains website content related to sponsorship and several other areas, and coordinates membership packages and information.

### **Mike Yost, Visitor Services & Leadership Lincoln Coordinator:**

Mike is our front of house coordinator, and greets guests, answers phone and emails. He maintains our Bulletin Calendar, our event sign, fulfills all lead requests, tracks all statistics, visitor, occupancy, and zip-code related. Mike either develops or coordinates development of printed Chamber material including the A-Z maps, the Laminates, Calendar of Events Brochure, Wedding Guide and more. He coordinates all shipping and mailings from the Chamber office.

Leadership Lincoln development is also Mike's responsibility. He maintains training materials, coordinates locations and agenda, and provides assistance to Oregon Coast Community College and Northwest Management related to the program.

Mike coordinates our volunteers and groups for Seafood & Wine Festival, managing schedules for over 300 volunteers, and coordinates dozens of group tours attending the event.

### **Carol Adams, Visitor Services & Accounting:**

Carol is our bookkeeping and accounting administrator. In addition to those responsibilities, Carol responds to visitors by phone, email and in person. She is responsible for the oversight of our Visitor Kiosk and our indoor brochure and information displays. Carol recently oversaw a "face-lift" of the Visitor Kiosk making it more appealing and helpful to the thousands of visitors who utilize the center each year. Carol is the staff representative for the Beautification Committee.

Carol provides a variety of other services that enhance each of the programs of work at the chamber.

All Chamber staff provides back-up to the front desk, visitor service assistance and response, phone walk-in and other guest assistance. Our Chamber staff prides itself in being "The Friendliest" and offer exceptional customer service to all who call on the Chamber office.



2013-2014 Board of Director  
Newport Chamber of Commerce

Position	FN	LN	Email Address	Address	City	ST	ZIP	Phone
President	Judy	Kuhl	judyk@agatebeachinn.com	3019 N Coast Hwy	Newport	OR	97365	541-574-2201
1st Vice President	Patti	Ferry	pferry@osufederal.com	1923 N Coast Hwy	Newport	OR	97365	541-574-6124
2nd Vice President	Rich	Evans	revans93048@yahoo.com	POB 1603	Newport	OR	97365	541-574-6315
Secretary	Jim	Protiva	j.protiva@newportoregon.gov	225 SE Avery St	Newport	OR	97365	541-265-7783
Treasurer	Doug	Hunt	dhunt@co.lincoln.or.us	255 W Olive St, #110	Newport	OR	97365	541-265-4100
Past President	Don	Lindly	donlindly@gmail.com	629 NE 20th Pl	Newport	OR	973665	541-270-4811
Past President At Large	Susan	Ernst	esusan@actionnet.net	155 E Olive St #1	Newport	OR	97365	541-265-2802
Two Year Directors	Lauren	Craven	foyl@yaquinalights.org	750 Lighthouse Drive	Newport	OR	97365	541-574-3125
Two Year Directors	Daniella	Crowder	bikenewport@charter.net	150 NW 6th Street	Newport	OR	97365	541-265-9917
Two Year Directors	Danielle	Emerick	danielleocer@gmail.com	730 NE 3rd st. Suite B	Newport	OR	97365	541-264-8491
Two Year Directors	Al	Fitzpatrick	al_fitzpatrick@yahoo.com	1080 NE 7th Dr	Newport	OR	97365	541-265-7741
Two Year Directors	Mark	Hanrahan	mark@markhanrahanconstruction.com	2401 NE Douglas	Newport	OR	97365	541-270-1122
Two Year Directors	James	Rand	publisher@newportnewstimes.com		Newport	OR	97365	541-265-8271
One Year Directors	John	Baker	john_baker@charter.net	2014 Crestview Dr	Newport	OR	97365	541-265-2525
One Year Directors	Lisa	Ely	lely@samhealth.com	930 SW Abbey	Newport	OR	97365	541-265-2244
One Year Directors	Doug	Orr	dougorr@actionnet.net	1114 N Coast Hwy	Newport	OR	97365	541-265-7767
One Year Directors	Catherine	Rickbone	crickbone@coastarts.org	POB 1315	Newport	OR	97365	541-574-2652
One Year Directors	Dr. Randall	Teich	rteich@gentledentist.com	911 NE Avery	Newport	OR	97365	541-265-7900
Ex-Officio Directors	Sandra	Roumagoux	s.roumagoux@newportoregon.gov	169 Coast Hwy	Newport	OR	97365	541-574-0603
Ex-Officio Directors	Tom	Rinearson	tom.rinearson@lincoln.k12.or.us	POB 1110	Newport	OR	97365	541-265-4403





# REFERENCES



# Our references

## **Elizabeth Street Inn**

232 SW Elizabeth  
Newport, Oregon 97365  
541-265-9400

### **Jennifer Morkert-Sales Manager**

We have partnered with ESI for many years on various marketing projects, more specifically tradeshows and tradeshow support on both a domestic and international level.

## **Lincoln City Visitors and Convention Bureau**

801 SW Hwy 101, Suite 1  
Lincoln City, Oregon 97367  
541-996-1274

### **Sandy Pfaff-Executive Director**

We have partnered with LCVCB for several years in Trade and Travel Shows, Sales Mission projects, familiarization tours, and more. We meet with LCVB and OCVA/COCA on a regular basis to exchange or generate ideas for promoting tourism.

## **Travel Oregon**

670 Hawthorne Avenue SE Suite 240  
Salem, Oregon 97301  
503-378-8850

### **Todd Davidson-CEO, Petra Hackworth-Director of Global Sales,**

### **Scott West –Chief Strategy Officer, Michael Sturdevant-Senior Manager-Global Marketing**

We have worked with Travel Oregon in Familiarization tour hosting and support and participate with them at domestic and international tradeshow/sales mission opportunities. We have a contract with the Oregon Tourism Commission-dba Travel Oregon to provide fulfillment services for the Peoples Coast, which involves coordinating familiarization tours for the coast, managing the Calendar of Events and press room for the Peoples Coast website, and the fulfillment of requests for information/Oregon Coast Visitor Guides.





13 March 2014

Re: Newport Chamber of Commerce

TO WHOM IT MAY CONCERN:

For many years the Newport Chamber of Commerce has partnered with the Lincoln City Visitor & Convention Bureau (LCVCB) to promote tourism in this Central Coast area, through vehicles like the Coastal Treasures Trade Show, NTA, and International POW WOW. Since Lorna Davis became associated with the Newport Chamber, we have increased our partnership substantially by jointly financing and staffing trade shows throughout the Pacific Northwest, working on joint special events, and producing some joint promotional literature. This partnership has enabled Lincoln City to participate in promotions that it would not have otherwise been able to and has, in my opinion, resulted in a better quality promotion of the entire area. I find the relationship to be invaluable to the LCVCB, the Oregon Coast Visitors' Association, and Travel Oregon, and look forward to its continued development in the future.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Sandy Pfaff", is written over the typed name.

Sandy Pfaff  
Executive Director  
Visitor & Convention Bureau

*A Great Place to Try New Things!*

801 SW HIGHWAY 101 • LINCOLN CITY • OREGON • 97367  
TELEPHONE • 541.996.1274 • 800.452.2151 • FAX 541.994.2408 • TDD 541.994.7432  
WEBSITE • WWW.OREGONCOAST.ORG



April 22, 2008

To Whom It May Concern:

I am pleased to submit this letter of support for the Newport Area Chamber of Commerce. The Oregon Tourism Commission (dba Travel Oregon) has a long and cherished history of working closely with the Newport Chamber of Commerce to strengthen Oregon's economy through the heightened economic impact of tourism.

Today, tourism is an \$8.3 billion industry in Oregon with over \$460 million spent in Lincoln County annually. The close collaboration between the Chamber of Commerce and Travel Oregon has enabled the partnership to strategically leverage each other's efforts and maximize the economic returns to Newport. I am proud to work along side such innovative, smart and enthusiastic partners.

The City of Newport is lucky to have such a dedicated and capable organization willing and able to oversee their tourism marketing endeavors.

Thank you for this opportunity to share my support for the Newport Area Chamber of Commerce. And please let me know if I can assist you in any way.

Sincerely,

A handwritten signature in black ink that reads "TODD DAVIDSON". The signature is written in a cursive style with a horizontal line above the first name.

Todd Davidson  
CEO

# STATISTICS



## City of Newport - Occupancy Report 2005 to 2013\*

Accumulative % for all (8) participating hotel properties

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Avg
2005	37.00%	50.00%	55.00%	58.00%	54.00%	68.00%	83.00%	80.17%	65.87%	57.11%	43.61%	36.33%	57.34%
2006	40.02%	55.52%	53.60%	60.65%	52.96%	69.83%	82.34%	83.51%	82.10%	64.93%	44.36%	33.78%	60.30%
2007	35.32%	51.40%	57.90%	54.80%	54.71%	68.44%	86.50%	91.10%	76.40%	61.27%	46.23%	33.53%	59.80%
2008	31.08%	45.14%	51.24%	47.78%	55.20%	62.55%	79.24%	86.79%	62.48%	58.38%	42.01%	23.54%	53.79%
2009	32.30%	40.30%	48.44%	46.77%	48.73%	63.33%	79.57%	84.49%	71.57%	60.10%	33.43%	26.93%	53.00%
2010	33.96%	48.04%	52.27%	46.78%	47.69%	63.81%	79.40%	81.29%	68.60%	56.31%	31.29%	34.21%	53.64%
2011	34.59%	45.42%	45.41%	44.69%	46.90%	61.59%	75.21%	81.21%	72.79%	61.13%	36.55%	45.48%	54.25%
2012	35.48%	48.28%	51.18%	51.06%	51.68%	65.36%	77.44%	82.21%	69.65%	52.67%	37.54%	36.92%	54.95%
2013	32.88%	45.61%	48.27%	47.27%	49.75%	61.44%	76.48%	85.74%	77.61%	62.02%	54.30%	35.98%	56.45%
2014													

Accumulative % for (4) participating hotel properties with 50 rooms or more

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Avg
2005	38.00%	50.00%	56.00%	61.00%	55.00%	70.00%	84.00%	79.88%	66.63%	58.03%	44.19%	37.63%	58.36%
2006	40.35%	56.64%	52.82%	62.10%	53.59%	72.06%	82.99%	84.27%	82.00%	65.08%	44.66%	34.41%	60.91%
2007	35.86%	51.78%	59.03%	55.07%	54.56%	70.28%	88.55%	92.80%	77.90%	62.86%	47.28%	33.84%	60.82%
2008	32.14%	45.84%	52.03%	49.03%	55.51%	64.02%	80.34%	87.97%	63.12%	59.13%	43.07%	23.83%	54.67%
2009	33.10%	40.84%	49.50%	47.82%	49.20%	64.05%	81.52%	86.57%	72.54%	61.53%	34.22%	27.31%	54.02%
2010	35.52%	49.50%	53.20%	47.86%	48.23%	64.03%	81.08%	82.72%	68.79%	56.83%	31.77%	34.78%	54.53%
2011	35.17%	45.97%	46.00%	45.66%	46.93%	63.17%	76.87%	82.93%	72.89%	61.84%	37.38%	48.57%	55.28%
2012	37.85%	50.49%	53.25%	53.06%	53.48%	67.96%	79.80%	83.74%	70.33%	52.67%	38.83%	38.73%	56.68%
2013	34.56%	47.24%	49.00%	47.59%	48.85%	59.29%	75.16%	85.24%	77.16%	62.17%	55.94%	36.61%	56.57%
2014													

\* This report is a general report of occupancy trends. Slight variances can occur due to rooms or spaces being unavailable for a period of time. These fluctuations, however, are generally brief and have minimal temporary impact on estimates.

## City of Newport - Occupancy Report 2005 to 2013\*

Accumulative % for (4) participating hotel properties with 30 rooms or less

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Avg
2005	36.00%	50.00%	50.00%	41.00%	47.00%	48.00%	78.00%	82.15%	60.54%	50.71%	39.13%	27.39%	50.83%
2006	37.59%	47.20%	51.95%	46.63%	48.32%	52.82%	77.55%	77.83%	82.89%	63.82%	41.78%	29.13%	54.79%
2007	31.28%	48.60%	49.48%	52.15%	55.83%	54.36%	72.28%	78.49%	64.90%	49.40%	38.17%	28.08%	51.92%
2008	24.15%	39.83%	45.42%	38.21%	52.92%	51.28%	71.13%	78.12%	57.64%	52.20%	33.95%	21.44%	47.19%
2009	26.40%	36.33%	40.60%	38.74%	45.19%	57.83%	65.10%	69.02%	64.12%	49.52%	27.36%	24.15%	45.36%
2010	22.40%	37.20%	45.36%	38.51%	43.68%	62.17%	66.92%	70.67%	67.18%	52.44%	27.65%	29.95%	47.01%
2011	30.28%	41.34%	41.06%	37.22%	46.69%	50.79%	64.18%	69.77%	72.08%	56.38%	30.90%	24.86%	47.13%
2012	19.71%	33.51%	37.34%	37.37%	39.73%	47.56%	61.75%	72.01%	64.96%	52.64%	28.70%	24.86%	43.34%
2013	21.69%	34.71%	43.38%	45.12%	55.79%	76.13%	85.24%	89.08%	80.72%	60.98%	43.06%	31.80%	55.64%
2014													

Accumulative % for (3) participating campgrounds/RV parks

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Avg
2005	11.00%	20.00%	31.00%	29.00%	39.00%	51.00%	90.00%	100.46%	74.25%	32.02%	19.57%	9.63%	42.24%
2006	8.59%	17.67%	35.82%	32.21%	53.20%	64.63%	91.52%	101.85%	84.04%	36.74%	15.45%	11.57%	46.11%
2007	9.60%	32.70%	31.52%	32.41%	41.28%	64.39%	169.13%	109.83%	82.00%	34.66%	32.50%	10.06%	54.17%
2008	9.16%	15.79%	29.58%	24.58%	37.14%	52.36%	97.69%	97.90%	70.80%	33.01%	19.51%	10.21%	41.48%
2009	11.47%	16.87%	26.67%	27.38%	45.33%	68.47%	103.03%	104.72%	82.38%	39.03%	18.26%	12.01%	46.30%
2010	10.80%	18.76%	30.52%	31.60%	33.57%	56.06%	85.41%	85.54%	63.89%	33.42%	15.02%	7.92%	39.38%
2011	9.02%	13.32%	20.05%	22.56%	31.83%	53.15%	78.10%	81.60%	61.08%	29.21%	13.94%	5.94%	34.98%
2012	7.37%	17.80%	18.95%	22.53%	40.52%	62.26%	93.92%	94.73%	44.24%	30.24%	14.07%	8.74%	37.95%
2013	9.18%	18.36%	26.19%	24.61%	42.02%	29.82%	94.74%	97.58%	67.05%	43.94%	23.60%	11.36%	40.70%
2014													

*\* This report is a general report of occupancy trends. Slight variances can occur due to rooms or spaces being unavailable for a period of time. These fluctuations, however, are generally brief and have minimal temporary impact on estimates.*

*2011 to 2013  
Visitor Statistics*

MONTH	800 Line			Other Calls			Walk-ins			Visitor Packets			Relos			Email Requests			Fax			Website Visits			Window Talk			Website Hits		
	11	12	13	11	12	13	11	12	13	11	12	13	11	12	13	11	12	13	11	12	13	11	12	13	11	12	13	11	12	13
January	125	108	129	908	770	634	831	826	787	1,028	1,144	831	29	4	9	2,835	3,025	3,367	0	0	0	35,407	36,722	42,811	342	323	206	1,868,836	1,448,874	678,740
February	226	230	543	1,289	1,077	755	560	980	1,244	1,583	721	799	10	5	1	3,119	3,462	2,858	0	0	0	54,721	60,804	46,224	276	178	241	2,546,876	2,489,432	943,351
March	226	169	161	831	796	503	1,207	1,167	1,070	1,092	959	864	21	10	11	3,131	2,639	3,143	0	0	0	23,191	20,539	32,412	326	307	312	1,042,420	700,638	725,307
April	95	120	94	765	616	651	1,161	1,181	1,314	1,015	954	893	8	5	15	2,262	2,958	3,376	0	0	0	19,723	17,639	26,534	358	263	794	881,152	547,414	506,259
May	118	107	145	802	678	662	1,212	1,337	1,480	2,480	1,856	2,366	19	12	5	2,866	3,347	2,344	0	0	0	22,036	19,213	23,572	540	555	479	901,585	591,042	485,530
June	147	149	120	928	745	528	1,505	1,437	1,739	3,856	1,362	1,513	10	13	13	3,067	3,092	1,986	0	0	0	20,741	19,610	25,590	680	434	603	878,382	624,272	481,806
July	209	163	156	870	681	720	1,556	1,823	2,041	3,109	2,074	2,067	17	12	11	2,735	2,807	2,166	0	0	0	21,037	20,898	31,674	798	758	1,055	999,829	744,838	616,117
August	158	212	132	936	883	595	1,886	1,907	2,129	3,348	4,479	2,879	18	19	14	3,012	3,196	1,974	0	0	0	21,246	21,382	26,874	1,061	840	1,568	964,265	727,978	487,393
September	110	161	106	694	509	441	1,506	1,256	1,687	889	1,201	2,564	3	12	13	2,794	2,359	2,516	0	0	0	18,333	18,382	21,396	643	515	1,077	771,169	548,447	388,663
October	82	156	121	661	671	575	947	1,066	1,403	626	272	466	4	11	3	3,109	3,336	3,222	0	0	0	17,987	17,464	19,936	390	338	502	677,132	529,027	359,904
November	75	88	91	602	559	453	783	755	628	327	202	285	3	4	10	3,072	2,844	3,328	0	0	0	15,701	16,093	21,977	411	238	265	564,383	397,285	322,116
December	64	125	157	528	388	448	687	717	713	383	224	360	1	3	9	2,411	2,205	2,816	0	0	0	21,716	21,596	30,044	195	164	281	930,117	406,406	381,410
<b>TOTAL</b>	<b>1,635</b>	<b>1,788</b>	<b>1,955</b>	<b>9,814</b>	<b>8,373</b>	<b>6,965</b>	<b>13,841</b>	<b>14,452</b>	<b>16,235</b>	<b>19,736</b>	<b>15,448</b>	<b>15,887</b>	<b>143</b>	<b>110</b>	<b>114</b>	<b>34,413</b>	<b>35,270</b>	<b>33,096</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>291,839</b>	<b>290,342</b>	<b>349,044</b>	<b>6,020</b>	<b>4,915</b>	<b>7,383</b>	<b>13,026,146</b>	<b>9,755,653</b>	<b>6,376,596</b>

# **Newport**

## ***Travel Impacts, 1991-2012p***

photo courtesy of CITY OF NEWPORT, OREGON

JUNE 2013

*PREPARED FOR*

Greater Newport Chamber of Commerce  
Newport, Oregon

**NEWPORT  
TRAVEL IMPACTS, 1991-2012P**

*Prepared for the*

Greater Newport Chamber of Commerce  
555 S.W. Coast Highway  
Newport, Oregon 97365-4934

*Prepared by*

Dean Runyan Associates  
833 S.W. Eleventh Avenue, Suite 920  
Portland, Oregon 97205  
503.226.2973

June 2013

## NEWPORT TRAVEL IMPACTS, 1991-2012P

This study, prepared for the Greater Newport Chamber of Commerce, documents the economic significance of the travel industry in Newport from 1991 through 2012. The principal aim of this study was to prepare preliminary estimates of travel spending during 2012 as well as to provide estimates of the earnings, employment and tax revenues generated by these expenditures. In addition, this year's report also provides estimates of overnight visitor volume and average spending.

The 2012 estimates contained in this report are *preliminary*. These estimates are based on the 2012p economic impact analysis for Oregon counties prepared for the Oregon Tourism Commission and updated with the most current information collected for Newport.

In interpreting the findings, it should be noted that:

- All estimates contained in this report supersede those previously published.
- The estimates in this report are expressed in *current* dollars. There is no adjustment for inflation.
- The economic impact measurements represent only direct economic impacts. Direct economic impacts include only the spending by travelers and the employment generated by that spending. Secondary effects related to the additional spending of businesses and employees are not included.
- The employment estimates in this report are estimates of the total number of full and part-time number of jobs directly generated by travel spending, rather than the number of individuals employed. Payroll and self-employment are included in these estimates.
- Following last year's major revisions involving new source data and methodology, some additional, minor refinements were made this year primarily involving the estimation of ground transportation and day travel. The revised estimates are not substantially different from those previously reported.

## TRAVEL TRENDS

Total direct travel spending in Newport was \$127.7 million in 2012. This represents a 1.2 percent increase over the preceding year in current dollars. Employment and earnings were also up slightly. In general, the relatively flat performance of the Newport travel industry is similar to the larger Central Coast region.

### Newport Travel Trends, 1991-2012p

	Spending (\$Million)	Earnings (\$Million)	Employment 0	Tax Receipts (\$Thousand)		
				Local	State	Total
1991	66.3	18.0	1,500	663	1,428	2,091
1992	74.8	20.4	1,580	888	1,652	2,540
1993	74.5	20.3	1,520	875	1,658	2,533
1994	78.2	21.3	1,540	928	1,747	2,675
1995	85.2	23.2	1,610	1,002	1,862	2,863
1996	104.0	26.7	1,790	1,437	2,157	3,594
1997	95.2	24.6	1,580	1,377	1,984	3,361
1998	95.3	24.8	1,470	1,393	1,980	3,373
1999	90.9	23.5	1,430	1,299	1,862	3,161
2000	97.6	24.9	1,430	1,390	1,983	3,373
2001	103.4	26.4	1,520	1,476	2,080	3,556
2002	103.7	26.6	1,490	1,439	2,059	3,498
2003	106.5	27.2	1,520	1,666	2,120	3,787
2004	110.9	28.1	1,550	1,758	2,398	4,156
2005	111.5	28.0	1,480	2,080	2,395	4,475
2006	116.7	29.2	1,470	2,261	2,498	4,759
2007	120.5	31.5	1,580	2,389	2,648	5,037
2008	123.2	32.3	1,570	2,244	2,700	4,943
2009	121.8	32.8	1,580	2,240	2,695	4,935
2010	122.9	31.9	1,540	2,293	2,660	4,953
2011	126.2	32.2	1,550	2,309	2,973	5,282
2012p	127.7	34.0	1,560	2,336	3,050	5,385
Annual Percentage Change						
11-12p	1.2%	5.5%	0.1%	1.2%	2.6%	2.0%
91-12p	3.2%	3.1%	0.2%	6.2%	3.7%	4.6%

Notes: Spending includes visitor spending and other travel spending (travel agencies and transportation to other Oregon destinations). Earnings include wage and salary disbursements, benefits and proprietor income. Employment includes full- and part-time payroll employees and proprietors. These direct travel impacts do not include secondary (indirect and induced) impacts. The multiple year percentage change refers to the average annual change.

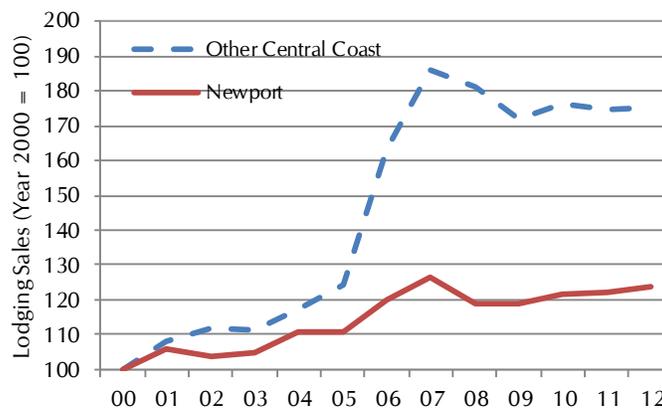
Newport’s share of Central Coast lodging sales declined from about 25 percent to 18 percent between 2000 and 2008. In recent years, the Newport’s share has gradually increased.

### Newport and Central Coast Lodging Sales (Million)

	Newport	Central Coast	Share
2000	\$19.9	\$78.9	25.2%
2001	\$21.1	\$85.0	24.8%
2002	\$20.6	\$86.6	23.7%
2003	\$20.8	\$86.6	24.1%
2004	\$22.0	\$91.3	24.1%
2005	\$22.0	\$95.5	23.1%
2006	\$23.8	\$120.1	19.8%
2007	\$25.1	\$134.9	18.6%
2008	\$23.6	\$130.7	18.1%
2009	\$23.6	\$125.3	18.8%
2010	\$24.1	\$128.2	18.8%
2011	\$24.3	\$127.5	19.1%
2012	\$24.6	\$128.0	19.2%
<i>Annual Percentage Change</i>			
2011-12	1.2%	0.4%	
2000-12	2.0%	4.5%	

Source: Oregon Department of Revenue, City of Newport and other taxing jurisdictions in Lincoln, east Douglas and east Lane counties. The multiple year percentage change refers to the average annual change.

### Newport and Other Central Coast Lodging sales (Year 2000 = 100)



Detailed travel impacts for 2006-2012p are presented on the following page.

## Newport Travel Impacts, 2006-2012p

	2006	2007	2008	2009	2010	2011	2012p
<b>Total Direct Travel Spending (\$Million)</b>							
Destination Spending	115.2	118.8	121.4	120.5	121.5	124.4	125.9
Other Travel*	1.6	1.7	1.9	1.3	1.5	1.7	1.7
Total Direct Spending	116.7	120.5	123.2	121.8	122.9	126.2	127.7
<b>Visitor Spending by Commodity Purchased (\$Million)</b>							
Accommodations	27.8	29.4	27.7	27.7	28.4	28.6	28.0
Food Service	24.9	25.7	27.1	28.3	28.4	28.8	30.0
Food Stores	14.5	15.1	16.0	16.2	15.8	16.3	16.7
Local Tran. & Gas	8.4	9.0	10.5	7.7	8.9	10.6	10.6
Arts, Ent. & Rec.	19.7	19.8	20.1	20.3	19.8	19.8	20.1
Retail Sales	19.9	19.8	19.9	20.3	20.2	20.3	20.6
Destination Spending	115.2	118.8	121.4	120.5	121.5	124.4	125.9
<b>Industry Earnings Generated by Travel Spending (\$Million)</b>							
Accom. & Food Serv.	19.3	20.9	21.2	21.8	21.3	21.8	23.1
Arts, Ent. & Rec.	5.2	5.8	6.1	6.0	5.7	5.6	5.9
Retail***	4.3	4.5	4.7	4.7	4.6	4.6	4.7
Other Travel**	0.3	0.3	0.3	0.3	0.2	0.2	0.3
Total Direct Earnings	29.2	31.5	32.3	32.8	31.9	32.2	34.0
<b>Industry Employment Generated by Travel Spending (Jobs)</b>							
Accom. & Food Serv.	930	1,010	1,010	1,000	990	1,010	1,000
Arts, Ent. & Rec.	310	330	320	340	320	320	340
Retail***	220	220	230	230	220	210	220
Other Travel**	10	10	10	10	10	10	10
Total Direct Employment	1,470	1,580	1,570	1,580	1,540	1,550	1,560
<b>Government Revenue Generated by Travel Spending (\$Million)</b>							
Local Tax Receipts	2.3	2.4	2.2	2.2	2.3	2.3	2.3
State Tax Receipts	2.5	2.6	2.7	2.7	2.7	3.0	3.0
Total Local & State	4.8	5.0	4.9	4.9	5.0	5.3	5.4

Details may not add to totals due to rounding.

\*Other Travel spending includes ground transportation spending and related impacts for travel to other Oregon visitor destinations, and travel agencies.

\*\*Other Travel employment and earnings includes all ground transportation, except motor fuel, and travel agencies.

\*\*\*Retail includes gasoline.

## NEWPORT OVERNIGHT VISITOR VOLUME AND AVERAGE SPENDING

Visitor volume and average visitor spending estimates for Newport are shown below. The tables are mathematically related: The total visitor spending estimates in the first table are equivalent to the average spending estimates in the second table multiplied by the appropriate measure of visitor volume in the third table. See Appendix C.

### Visitor Spending by Type of Traveler Accommodation (\$Million), 2006-2012p

	2006	2007	2008	2009	2010	2011	2012p
All Overnight	76.6	79.6	81.0	79.7	81.0	83.3	84.0
Hotel, Motel	51.5	53.7	54.3	53.2	54.6	56.4	57.6
Private Home	4.2	4.4	4.6	4.5	4.6	4.8	4.0
Other Overnight	20.9	21.6	22.1	22.0	21.7	22.0	22.4
Campground	15.6	16.1	16.4	16.4	16.0	16.2	16.4
Vacation Home	5.3	5.5	5.7	5.5	5.6	5.9	5.9
Day Travel	38.6	39.2	40.4	40.9	40.5	41.1	42.0
Spending at Destination	115.2	118.8	121.4	120.5	121.5	124.4	125.9

### Average Expenditures for Overnight Visitors, 2012p

	Travel Party		Person		Party Size	Length of Stay (nights)
	Day	Trip	Day	Trip		
Hotel, Motel	\$327	\$618	\$134	\$253	2.4	1.9
Private Home	\$84	\$256	\$32	\$98	2.6	3.0
Other Overnight	\$140	\$460	\$42	\$138	3.3	3.3
All Overnight	\$219	\$534	\$77	\$195	2.8	2.4

### Overnight Visitor Volume, 2010-2012p

	Person-Nights (000)			Party-Nights (000)		
	2010	2011	2012	2010	2011	2012
Hotel, Motel	425	425	431	174	174	176
Private Home	124	124	123	47	47	47
Other Overnight	542	531	531	163	160	160
All Overnight	1,090	1,080	1,085	384	381	383

	Person-Trips (000)			Party-Trips (000)		
	2010	2011	2012	2010	2011	2012
Hotel, Motel	224	225	228	92	92	93
Private Home	41	41	41	16	16	16
Other Overnight	165	162	162	50	49	49
All Overnight	431	427	430	157	156	157



## APPENDICES

APPENDIX A:	KEY TERMS AND DEFINITIONS
APPENDIX B:	TRAVEL IMPACT INDUSTRIES MATCHED TO 2007 NAICS
APPENDIX C:	RELATIONSHIP BETWEEN SPENDING AND VOLUME
APPENDIX D:	REGIONAL TRAVEL IMPACT MODEL

## KEY TERMS AND DEFINITIONS

### ECONOMIC IMPACTS

**Commodity:** A classification of a product or service, such as lodging or food service. An establishment or industry may produce more than one commodity.

**Direct Impacts:** Employment, earnings and tax receipts *directly* generated by travel spending, as distinguished from secondary and total impacts.

**Earnings:** Earnings include wage and salary disbursements, other earned income or benefits, and proprietor income. Only the earnings attributable to travel expenditures are included.

**Employment:** Industry employment (jobs) associated with travel-generated earnings. Includes both full-time and part-time positions, and salaried or self-employed individuals. Employment is reported as an average for a time period, typically annual. (Unless otherwise noted, the employment estimates refer to establishment or industry employment at place of work, not the employment status or residence of the individual.)

**Industry:** A classification of business or government establishments based on their primary technological process. (See NAICS Appendix table.)

**Local Taxes:** City of Newport lodging tax. Property taxes are not included.

**Other spending:** See Travel spending.

**Private Home:** Unpaid overnight accommodations of friends and relatives.

**Receipts:** Travel expenditures less the sales and excise taxes paid by the consumer.

**State Taxes:** Lodging, motor fuel, and personal and business income taxes imposed by the state of Oregon.

**Total Impacts:** The sum of Direct and Secondary impacts.

**Travel spending:** The sum of visitor and other spending related to travel. Other spending includes spending by residents on ground and air transportation for the purpose of travel to other destinations and spending on travel arrangement services.

**Visitor spending:** All spending on goods & services by visitors at the destination. Also referred to as destination spending.

## VISITOR VOLUME

**Length of Stay:** The number of nights that a visitor or travel party is away from home on a trip.

**Night:** Applies to overnight visitors only. The number of nights on a trip is the length of stay. The count of days and nights is generally equivalent for overnight visitors. (See trips.)

**Party-trips:** The number of trips to the destination by travel parties. Party-trips are equal to the number of Visitor-trips divided by the average party size.

**Party-nights:** The number of nights or days that travel parties stayed at the destination. Party-nights are equal to the number of visitor-nights divided by the average party size or the number of party-trips multiplied by the average length of stay.

**Party Size:** The number of individuals (adults and children, including non-household members) that are traveling together and are sharing the costs of travel.

**Room Demand:** A count of the number of hotel/motel rooms that are sold on a nightly basis over a given period of time. Also referred to as *room nights sold*.

**Travel party:** A *travel party* includes all *visitors* (adults and children) traveling together. The *party size* represents the average number of visitors or persons in the travel party.

**Trip:** A trip may include more than one day or night at a destination. For overnight visitor categories, the total number of trips will be less than the number of nights. The *length of stay* for the trip represents the number of nights (or days) at the destination.

**Visitor:** An individual traveler that stays overnight away from home in paid or unpaid accommodations, or a day visitor that travels at least fifty miles one-way from home on non-routine trip.

**Visitor-trips:** The number of trips to the destination by visitors or persons. This is also equivalent to as the total number of *visits*.

**Visitor-nights:** The number of nights or days that visitors (persons) stayed at the destination. Visitor-nights are equal to the number of visitor-trips multiplied by the average length of stay.

---

**TRAVEL IMPACT INDUSTRIES MATCHED TO 2007 NAICS**

<b>TRAVEL IMPACT INDUSTRY</b>	<b>NAICS INDUSTRIES* (code)</b>
Accommodation & Food Services	Accommodation (721) Food Services and Drinking Places (722) Residential Property Managers (531311)
Arts, Entertainment & Recreation	Performing Arts, Spectator Sports (711) Museums (712) Amusement, Gambling (713) Scenic and Sightseeing Transportation (487) Miscellaneous Industries (see note**)
Retail	Food & Beverage Stores (445) Gasoline Stations (447) Clothing and Clothing Accessories Stores (448) Sporting Goods, Hobby, Book, and Music Stores (451) General Merchandise Stores (452) Miscellaneous Store Retailers (453)
Ground Transportation	Interurban and rural bus transportation (4852) Taxi and Limousine Service (4853) Charter Bus Industry (4855) Passenger Car Rental (532111) Parking Lots and Garages (812930)
Air Transportation	Scheduled Air Passenger Transportation (481111) Support Activities for Air Transportation (4881)
Travel Agencies	Travel Agencies (56151)

Notes: \*Government enterprises (e.g., park systems) are included in this classification.

\*\*Includes parts of industries in other sectors (e.g., accommodation, charter bus).

A more detailed description of these industries can be found at <http://www.ntis.gov/naics>.

## RELATIONSHIP BETWEEN SPENDING AND VOLUME

The Spending, Average Expenditures and Volume tables are computationally related as shown below.

- **Spending equals Average Expenditures multiplied by Volume** for comparable party/person and night/trip categories
- **Travel parties and persons** are related by division or multiplication with **Party Size**
- **Trips and nights** are related by division or multiplication with **Length of Stay**

### Visitor Spending by Type of Accommodation (\$Million), YEAR

		YEAR
All Overnight	<b>656,000 x \$79 = \$56,100,000 (calculated from person-trips)</b>	<b>56.1</b>
Hotel, Motel	<b>160,000 x \$200 = \$32,000,000 (calculated from party-nights)</b>	<b>32.0</b>
Private Home	<b>1,030,000 x \$20 = \$20,600,000 (calculated from person-nights)</b>	<b>20.6</b>
Other Overnight	<b>10,000 x \$350 = \$3,500,000 (calculated from party-trips)</b>	<b>3.5</b>
Campground		3.0
Vacation Home		0.5
Day Travel		30.0
Spending at Destination		86.1

### Average Expenditures for Overnight Visitors, YEAR

	Travel Party		Visitor (Person)		Party Size	Length of Stay (nights)
	Nights	Trip	Nights	Trip		
Hotel, Motel	<b>\$200</b>	\$340	\$83	\$142	<b>2.4</b>	1.7
Private Home	\$50	\$130	<b>\$20</b>	\$52	2.5	<b>2.6</b>
Other Overnight	\$117	<b>\$350</b>	\$34	\$103	3.4	3.0
All Overnight	\$494	\$214	\$197	<b>\$86</b>	2.5	2.3

### Overnight Visitor Volume, YEAR

	Visitor-Nights (000)		Party-Nights (000)	
	YEAR	YEAR	YEAR	YEAR
Hotel, Motel	<b>160 x 2.4 =</b>	384		<b>160</b>
Private Home		<b>1,030</b>		412
Other Overnight		102		30
All Overnight		1,516		602

	Visitor-Trips (000)		Party-Trips (000)	
	YEAR	YEAR	YEAR	YEAR
Hotel, Motel		226		94
Private Home	<b>1,030 / 2.6 =</b>	396		158
Other Overnight		34		<b>10</b>
All Overnight		<b>656</b>		263

**REGIONAL TRAVEL IMPACT MODEL**

**PRIMARY DATA SOURCES**

Room Demand,  
Visitor Surveys,  
Population,  
Inventory/Use  
of Campsites &  
Second Homes,  
Visitor air  
arrivals

**Visitor Volume**  
(Travel Party Days by  
Type of  
Accommodation)

**ECONOMIC IMPACTS OF TRAVEL**

Accommodation  
Sales,  
Visitor Surveys,  
Airtfares

**Visitor Spending**  
(Type of  
Accommodation and  
Type of Commodity)

**Point of Sale Taxes**  
(Sales and Excise Taxes  
associated with Visitor  
Spending)

*Note: Receipts equals  
Spending less  
POS Taxes*

**Business Receipts**  
(not reported)

**Business Taxes**  
(Taxes on business  
income or receipts)

Ratio of  
Earnings to  
Receipts for  
relevant  
Industry

**Earnings**  
(By Industry)

**Personal Taxes**  
(Local, state and  
federal income and  
payroll taxes)

Average  
Annual  
Earnings per  
job for  
relevant  
industry

**Employment**  
(By Industry)

*Note: Most estimates of taxes  
are based on implicit tax rates  
applied to visitor spending,  
business receipts, and  
employee earnings. Lodging  
tax receipts reflect actual tax  
collections.*



Agenda Item #  
Meeting Date

VII.B  
April 21, 2014\_\_\_\_\_

**CITY COUNCIL/URBAN RENEWAL  
AGENCY AGENDA ITEM SUMMARY**  
City of Newport, Oregon

Issue/Agenda Title Amendment No. 1 to City of Newport / Seal Rock Water District Urban Service Agreement

Prepared By: Derrick Tokos Dept Head Approval: DT City Mgr Approval:

**ISSUE BEFORE THE COUNCIL:** Consideration of whether or not it is in the public interest for the City of Newport to amend an Intergovernmental Agreement that it entered into with the Seal Rock Water District in 2007. The original agreement established the terms for expanding the City of Newport's service area in South Beach. This first amendment to the agreement clarifies ambiguities as to the exact location of the boundary between the two water service providers, and the method of transferring real property interests from the District to the City as it pertains to the affected water distribution system. Further, the amendment authorizes the City and District to provide service in the others service area with written consent. The amendment also speaks to properties inside the City Service Area (CSA) that remain within the District and establishes that, to the extent legally permissible, the District will relieve such properties from taxation for their proportionate share of bonded or other indebtedness incurred after January 1, 2008, once they are withdrawn from the District's boundaries.

**STAFF RECOMMENDATION:** Staff recommends the Council adopt the amendment.

**PROPOSED MOTION:** I move that the City Council adopt Amendment No. 1 to the 2007 Urban Service Agreement between the City of Newport and Seal Rock Water District and authorize the Mayor to sign said document, as presented.

**KEY FACTS AND INFORMATION SUMMARY:** The City of Newport entered into an intergovernmental agreement with the Seal Rock Water District in 2007 that expanded the City's water service area to include much of South Beach. This was done in recognition of the fact that the City is better positioned to provide water service to developing properties in the area. Unfortunately, the legal description for the new service boundary is ambiguous, meaning it is unclear where the City's water service responsibilities end and the District's begin. Further, the 2007 agreement did not clearly specify how water system assets and related real property interests within the newly established CSA were to be transferred from the District to the City, nor did it provide a clear avenue for the City and District to provide service in the others service area, as needed, with written consent.

Perhaps the most significant issue that was not addressed in the original agreement was the withdrawal of properties from the District. After the City took over water service responsibilities within the CSA in 2008, the District secured approval of a General Obligation Bond for improvements to its water system. These bonds were drawn upon in 2011 and 2012 to finance improvements to the District's system that do not benefit properties within the CSA. Nonetheless, because properties within the CSA remain within the District, and are subject to District property taxes, they are paying for their proportionate share of these bond issues. The City and District recognize that this is unfair, and this agreement states that it is the District and City's intent that when properties within the CSA are withdrawn from the District they will only be subject to General Obligation Bond debt incurred as of January 1, 2008, the date the City began providing water service within the CSA. The Board of Directors of the Seal Rock Water District approved the amendment at their April 10, 2014 meeting.

**OTHER ALTERNATIVES CONSIDERED:** Not amending the agreement; however, that would leave the above referenced issues unresolved.

**CITY COUNCIL GOALS:** There are no Council goals directly related to this agenda item.

**ATTACHMENT LIST:**

- 2007 Urban Service Area Agreement
- Amendment No. 1 to the Agreement, with attachments

**FISCAL NOTES:** There are no fiscal impacts associated with this amendment. The City will be responsible for paying the proportionate share of the District's General Obligation Bond debt associated with properties that are inside the CSA and city limits at such time as they are withdrawn. To the extent provided by law, this agreement establishes that such debt will be limited to that which was issued prior to January 1, 2008. This amounts to \$35,301.52, assuming the payment is made July 1, 2014.

**INTERGOVERNMENTAL URBAN SERVICE AGREEMENT BETWEEN THE SEAL  
ROCK WATER DISTRICT AND THE CITY OF NEWPORT**

This agreement made is between the Seal Rock Water District, an Oregon water supply district (District) and the City of Newport, an Oregon municipal corporation (City).

**RECITALS**

- A. City provides water service within the City and outside City boundaries,
- B. District provides water service within the District and outside District boundaries.
- C. Some territory is within both the City and the District, and some territory within the City's urban growth boundary is within the District.
- D. The City and the District wish to coordinate service by having agreed territories where each will provide service so as to avoid duplication of lines and further wish to cooperate on matters of common interest.
- E. The District wishes to transfer service responsibility for an area of property that it currently serves to the City and the City is willing to provide service in that area.
- F. The District will suffer a financial impact from the transfer of service, and requires compensation for the transfer. The payment provided by this agreement is the minimum amount acceptable to the district. The District has concluded that the payment of \$5,000 per month for the term of this agreement is necessary for the District to comply with its revenue bond and other legal obligations. The City's decision to pay the amount required by this agreement is based on its understanding that the District will not accept a lower amount.
- G. This agreement is authorized by and is intended to comply with ORS 195.060 *et seq.*, which require urban service agreements between potential urban service providers for the same area.

**TERMS OF AGREEMENT**

- 1. City Service Area. City shall provide water service within the area shown on Exhibit A as the City Service Area ("CSA"). District will not object to withdrawal of any property within the CSA from the District by the City.
- 2. District Service. District will provide service within all other portions of the District. City agrees to not provide water service without District approval to areas within the District that are neither part of the CSA nor owned by the City, even if that area is annexed to the City. The parties agree that District will continue to provide extraterritorial service to the City's airport until such time as the City provides service to the airport, but that the maximum amount charged by the District for service to the airport will be the commercial in-District rate.
- 3. Term. This Agreement is effective when signed by both parties, and shall be perpetual. The City and District have both duly approved the terms of this agreement, and have

authorized it to be signed. The District has obtained prior approval to enter into this agreement by the U.S. Department of Agriculture Rural Development Agency.

4. Payment. To compensate for the loss of future revenue by the District from existing and future service customers, the City shall pay the District the sum of \$1,800,000.00, in monthly payments of not less than \$5,000.00 each. Monthly payments shall be due on the first of each month starting with the first month after this agreement is fully executed. The City may prepay its obligation in whole or in part at any time, but prepayment shall not excuse the next monthly payment unless the entire obligation is paid in full. The CSA shall remain subject to bonded indebtedness until withdrawn from the District and the bonded indebtedness is satisfied as provided by law. Each party shall receive property tax due it as provided by state law.

5. Property Transfer. All interests in real property, water mains, service installations, structures, facilities, improvements and other similar property of the District within the CSA is transferred to the City, effective upon the signing of this agreement. No additional consideration, other than the obligations imposed by this agreement, is to be paid for this transfer. The property is transferred in "as is" condition, and the District has made no warranties or representations as to the condition of the property. The City shall bear the expense of any repair or replacement of the property, and shall repair or replace it as necessary to continue existing water service. The District may continue to use the property to provide water to service customers until the City has assumed control as provided below. The parties agree to cooperate with one another in implementing the transfers.

6. Phase-in. City service will be phased-in and shall replace the District service to existing customers within 60 days after this agreement is fully executed. The parties will in good faith cooperate to transfer service. City may construct additional facilities and start service to any additional property in the CSA at any time, within the City's discretion, but in a manner that satisfies the District's obligation to supply water to existing and future property owners within the District. District will continue supplying water within the CSA until City starts providing water. The City shall have discretion in determining how and in what manner to proceed with new service and the transfer of existing service within the CSA. City shall have the authority to annex the CSA and withdraw the annexed property from the District at any time, and District expressly recognizes and consents to that authority and will not object or challenge any withdrawal of territory authorized by this agreement.

7. Payment from Service Customers. Each party shall be entitled to payment from service customers for the service and water it provides. The District may terminate water service to customers for nonpayment.

8. Responsibility. Neither party assumes any liability for the acts or omissions of the other, and each party shall be responsible for any losses or claims attributable to the fault of such party.

9. Attorney Fees. In the event that any action is filed relating to this Agreement, the unsuccessful party shall pay the reasonable attorney fees incurred by the prevailing party, including costs incurred on appeal.

10. Severability. The invalidity of any portion of this Agreement shall not affect the

validity of any other provision, which shall remain in effect.

11. Notice. Notices under this Agreement shall be sent to the following addresses by first class mail, however no party may rely on lack of notice if it has actual notice:

CITY OF NEWPORT  
Attn: City Manager  
169 SW Coast Highway  
Newport OR 97365

SEAL ROCK WATER DISTRICT  
10349 Rand Street  
PO Box 190  
Seal Rock OR 97376

12. Personnel. No personnel will be transferred between the parties.

13. Future Water Supply. District currently purchases treated water at a high cost from the City of Toledo. City believes it may be able to provide treated water to District at a lower cost. If City develops facilities and has sufficient supply to allow it to provide water to District, City will offer water to District at a wholesale rate. If City has surplus treated effluent that may be used for irrigation, the City will offer the treated effluent to the District at a wholesale rate.

14. Intertie. The parties can mutually benefit by an interconnection (the "intertie") between the two systems. The parties agree to cooperate on planning and developing an intertie.

15. Entire Agreement. This Agreement is the entire agreement between the parties and no prior understanding or representation is binding unless incorporated in this Agreement.

16. Default. In the event of a party's failure to perform any provision of this agreement (other than the monthly payments required of the City), the other party may provide notice of the failure and shall provide an opportunity to cure the failure within 30 days, or any longer period stated in the notice. If the cure cannot reasonably be accomplished within the 30 days, and if the defaulting party has worked diligently within the 30 days to cure the non-compliance, no default remedy may be pursued while the other party continues thereafter to diligently work towards compliance. Each party may pursue a claim for damages resulting to that party from failure of the other party to perform this agreement, and may pursue any other available judicial remedies for default, including specific performance, injunctive relief, or declaratory judgment.

With respect to the monthly payments required of the City, any payment not made within 10 days of the due date shall bear interest until paid at the statutory rate of 9% per annum, or such other rate as is hereafter established by statute.

17. Termination or Modification by Mutual Agreement. The parties may terminate or modify this agreement by mutual written agreement at any time.

18. Dispute Resolution. The parties agree that disputes regarding application or interpretation of this agreement should be first referred to the City Manager of the City and the Chair of the District Board. If they are unable to resolve the dispute or if either wishes to

refer the matter to the governing bodies, a joint meeting of the City Council and District Board should be called to attempt to resolve the dispute. However, this paragraph does not require either party to attempt this dispute resolution process prior to commencing any judicial remedy.

19. Addendum. This agreement contains an addendum regarding compliance with federal civil rights laws, which is incorporated into this agreement by this reference.

CITY OF NEWPORT

SEAL ROCK WATER DISTRICT



Mayor

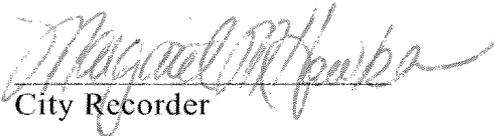
Date: 11/14/07



Chair

Date: 11/19/2007

ATTEST:



City Recorder



Secretary

ADDENDUM TO INTERGOVERNMENTAL URBAN SERVICE AGREEMENT  
BETWEEN THE SEAL ROCK WATER DISTRICT AND THE CITY OF NEWPORT

Language Required by USDA – RUS

The property described in this agreement (the water public improvements transferred from the Seal Rock Water District to the City of Newport) was obtained or improved with Federal financial assistance and is subject to the nondiscrimination provisions of Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, section 504 of the Rehabilitation Act of 1973, and other similarly worded Federal statutes, and the regulations issued pursuant thereto that prohibit discrimination on the basis of race, color, national origin, handicap, religion, age, or sex in programs or activities receiving Federal financial assistance. Such provisions apply for as long as the property continues to be used for the same or similar purposes for which the Federal assistance was extended, or for so long as the purchaser owns it, whichever is later. The City accepts that specific performance is an available remedy for enforcement of this addendum.

**AMENDMENT NO. 1 TO THE  
INTERGOVERNMENTAL URBAN SERVICE AGREEMENT  
BETWEEN THE SEAL ROCK WATER DISTRICT AND  
THE CITY OF NEWPORT**

This Amendment No. 1 is made to the Intergovernmental Urban Service Agreement between the Seal Rock Water District (District) and the City of Newport, an Oregon municipal corporation (City), dated November 4, 2007 (the Agreement).

RECITALS

- A. Section 1 of the Agreement states that the “City shall provide water service within the area shown on Exhibit A as the City Service Area (‘CSA’).” The referenced Exhibit A was not attached to the Agreement so the official location of the CSA boundary is unclear under the Agreement’s current terms. City and District desire to clarify the location of the CSA by adopting a new legal description and boundary map.
- B. Section 2 of the Agreement prohibits City from providing water service to areas within District that are outside of the CSA without District approval, but does not contain reciprocal language. City and District desire to amend the Agreement to allow District to provide water service to properties within the CSA, subject to City approval.
- C. City began providing water service to the CSA effective January 1, 2008, and District ceased providing service within the CSA as of that date, except as noted in the Agreement.
- D. In November of 2010, District completed a Water System Master Plan. Lands within the CSA were not included in that Plan.
- E. Upon completing the Water System Master Plan, District successfully secured passage of a General Obligation (GO) Bond to fund projects identified in the Plan and borrowed construction funds in 2011 and 2012 for that purpose. In 2013, the District refinanced a GO Bond issued in 2007.
- F. District retires GO Bond debt with property tax revenues. Properties within the CSA remain within District’s boundaries and are subject to a proportionate share of the bond debt even though they receive no benefit from the 2011 and 2012 GO Bond funds.
- G. Section 4 of the Agreement states that “The CSA shall remain subject to bonded indebtedness until withdrawn from the District and the bonded indebtedness is satisfied as provided by law.” City and District recognize the inequity inherent in this provision, as it relates to the 2011 and 2012 bonds, and desire to amend the

Agreement to clarify that when properties within the CSA are withdrawn from the District they will only be subject to GO Bond debt incurred as of January 1, 2008, the date the City began providing water service within the CSA. Such debt is limited to a GO Bond issued in 2007, which was refinanced in 2013 (“2007 GO Bond”).

- H. Section 5 of the Agreement transferred District real and personal property within the CSA to City, but failed to identify how those real property interests were to be recorded. The parties wish to establish how that transfer will be documented as of record.

#### TERMS OF AMENDMENT

1. Section 1 of the Agreement is hereby amended as follows:

“City Service Area. City shall provide water service within the area identified in the legal description dated April 16, 2014, and service boundary map dated April 16, 2014, as the City Service Area (CSA), both prepared by Pariani Land Surveying and attached as Exhibits A and B, respectively.”

2. Section 2 of the Agreement is hereby amended as follows:

“District Service. District will provide service to all properties within the District, outside of the CSA. City agrees to not provide water service to areas within the District that are neither part of the CSA nor owned by the City, even if that area is annexed to the City, without the prior written consent of the District. The parties agree that District will continue to provide extraterritorial service to the Airport until such time as the City elects to provide service to the Airport, and that the maximum amount charged by the District for service to the Airport will be the commercial in-District rate. District agrees to not provide water service to other areas within the CSA without the prior written consent of the City.”

3. The last two sentences of Section 4 of this Agreement are hereby amended to read as follows:

“Properties within the CSA shall remain subject to bonded indebtedness until withdrawn from the District. District will not object to withdrawal of any property from the District that lies within the CSA, and will fully cooperate with attempting to relieve properties from taxation as provided in this paragraph. Withdrawal by the City of annexed CSA properties shall be accomplished by ordinance, pursuant to ORS 222.520, 222.465, and 222.524. Withdrawal of non-annexed CSA properties shall be accomplished by petition, pursuant to ORS 198.870, et seq.

Upon withdrawal: 1) annexed properties shall be relieved of tax indebtedness as provided for in ORS 222.520 and 222.528; and 2) non-annexed properties shall be relieved from taxation as provided for in ORS 198.880. To the extent legally permissible and pursuant to ORS 198.882, the District shall also relieve all withdrawn CSA properties from taxation for the properties’ proportionate share of

bonded or other indebtedness incurred after January 1, 2008, excluding the refinanced 2007 GO Bond.”

- 4. Section 5 of this Agreement is hereby amended to insert the following as the second sentence of that section; the existing provisions of Section 5 are not replaced or amended, but will remain in full force and effect:

“All real property transfers from the District to the City shall be documented by an Assignment of Easements, in the form attached as Exhibit C, which shall be recorded upon execution.”

- 5. Except as expressly amended above, all terms and conditions of the Agreement shall remain in full force and effect.

CITY OF NEWPORT

SEAL ROCK WATER DISTRICT

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Board President

Date: \_\_\_\_\_

Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
City Recorder

\_\_\_\_\_  
District Secretary

**(T11S, R11W, Sec 8, 16, 17, 19, 20, 29, 30, 31, 32)****(T12S, R11W, Sec 6)**

Pariani Land Surveying-JRP

April 16, 2014

**Service Boundary Description –**

Beginning at the projected intersection of the northerly top of creek bank of Henderson Creek and the high tide line of the Pacific Ocean shoreline, located in Section 30, Township 11 South, Range 11 West, W.M., Lincoln County, Oregon; thence northerly along the said high tide line to the northerly line of the Yaquina Bay South jetty; thence continuing along the said South jetty, generally northerly, easterly and southerly through sections 30, 19, 11, 18, 17, 8, 16 and 21, Township 11 South, Range 11 West, W. M. to the intersection with section line common to sections 21 and 28, Township 11 South, Range 11 West, W.M. thence westerly along said section line to the corner common to sections 20, 21, 28 and 29, Township 11 South, Range 11 West, W.M.; thence southerly along the line common to said sections 28 and 29, to the southeast corner of the NE1/4, NE1/4 section 29; thence westerly along the south line of said NE1/4, NE1/4 to the southwest corner thereof; thence southerly along the easterly line of the SW1/4, NE1/4 section 29 to a point on the quarter section line; thence southerly along the easterly line of the W1/2, SE1/4, section 29 to a point on the line common to section 29 and section 32; thence southerly along the easterly line of the W1/2, NE1/4 section 32; thence westerly along the southerly line of the West1/2, NE1/4 section 32 to the center of said section; thence southerly and westerly along the boundary of that property described in warranty deed recorded in Book 90, Page 522, Lincoln County Records, to a point on the line common to said section 32 and section 6, Township 12 South, Range 11 West, W.M.; thence through said section 6 southerly, westerly and northerly along the property described in warranty deed recorded in Book 97, Page 93, Lincoln County Records; thence through said section 32 and section 31, northerly and westerly along the boundary of that property described in said Book 90, Page 522 to the easterly line of the Oregon Coast Highway; thence northerly along said Coast Highway to the northerly top of creek bank of Henderson Creek thence westerly along the northerly top of creek bank of Henderson Creek to the projected intersection with the said high tide line and the point of beginning. (See the attached Exhibit B for the graphic depiction thereof).

**Excepting Therefrom –**

Beginning at the corner common to Sections 29, 30, 31 & 32, Township 11 South, Range 11 West, W.M., Lincoln County, Oregon; thence North 00°50'45" East, along the section

**(T11S, R11W, Sec 8, 16, 17, 19, 20, 29, 30, 31, 32)**

**(T12S, R11W, Sec 6)**

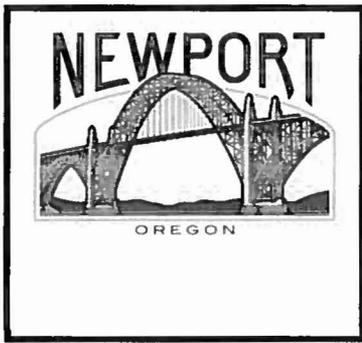
Pariani Land Surveying-JRP

April 16, 2014

line common to said Section 29 & 30, 1992.88 feet, more or less to the northeast corner of Lot 1 as shown on Lincoln County Survey number 7469; thence North 51°55'45" West, along the north line of said Lot 1, 102.03 feet to the southwest corner of said Lot 1 and also being a point of the easterly right of way line of Oregon Coast Highway; thence South 06°26'00" West, along said right of way line, 3.09 feet, to the True Point of Beginning; thence South 82°58'53" East, 13.88 feet; thence South 54°16'48" East, 55.09 feet; thence North 35°43'12" East, 13.78 feet; North 46°02'24" West, 8.27 feet; thence North 41°27'44" East, 25.65 feet; thence North 50°00'52" West, 73.88 feet; thence North 82°58'53" West, 15.27 feet, more or less to a point on the east line of said right of way; thence South 06°26'00" East, along said right of way line, 51.96 feet to the point of beginning.

(See the attached Exhibit C for the graphic depiction thereof).

The excepted area described contains 3432.5± square feet.



Agenda Item # \_\_\_\_\_  
Meeting Date 4/21/14

CITY COUNCIL AGENDA ITEM SUMMARY  
City Of Newport, Oregon

Issue/Agenda Title: Consideration of Franchise Extension Agreement between the City of Newport and Falcon Telecable I/k/a Charter Communications

---

Prepared By: Hawker Dept Head Approval: ph City Manager Approval: \_\_\_\_\_

Issue before the Council: The issue before Council is consideration of a franchise extension agreement between the city and Charter Communications.

Staff Recommendation: Staff recommends approval of the franchise extension agreement.

Proposed Motion: I move to approve the franchise extension agreement between the City of Newport and Falcon Telecable, locally known as Charter Communications, and direct staff to continue to work with Speer Hoyt in negotiating a new franchise agreement with Falcon Telecable, I/k/a, Charter Communications. I further move that on conclusion of negotiations, the new franchise agreement be brought to City Council for consideration and approval.

Key Facts and Information Summary: The city entered into a five-year franchise agreement with Falcon Telecable, locally known as Charter Communications, on April 22, 2008. The City Council approved an extension to the agreement in September 2013 to allow for additional time to negotiate a new franchise agreement. The extension will expire on April 21, 2014, and the city's legal counsel, Speer Hoyt, needs additional time to negotiate a new franchise agreement with Charter. The proposed extension is for a period of nine months and is agreeable to both Charter and Speer Hoyt.

Other Alternatives Considered: None.

City Council Goals: None.

Attachment List: Franchise Extension Agreement between the City and Falcon Telecable I/k/a Charter Communications

Fiscal Notes: None.

**FRANCHISE EXTENSION AGREEMENT  
BETWEEN THE CITY OF NEWPORT AND  
FALCON TELECABLE I/k/a CHARTER COMMUNICATIONS**

WHEREAS, Falcon Telecable, a California Limited Partnership, locally known as Charter Communications ("Charter") currently holds a cable franchise with the City of Newport Oregon ("City"), granted with an effective date of April 22, 2008 ("Franchise"); and

WHEREAS, Charter's Franchise with the City expired on April 21, 2013; and

WHEREAS, the City entered in an extension of the Franchise that expires on April 21, 2014; and

WHEREAS, the City and Charter have begun informal renewal negotiations in accordance with Section 626(h) of Title VI of the Communications Act of 1934, as amended and the parties continue to reserve all rights under the formal procedures of Section 626 of Title VI of the Communications Act of 1934, as amended, and do not waive any rights related thereto; and

WHEREAS, Charter and the City have mutually agreed to extend the existing franchise while a new franchise continues to be negotiated; and

WHEREAS, it is in the public interest to further extend the current Franchise for an additional period of time so that cable service to the public will not be interrupted.

NOW, THEREFORE, the Franchise of Charter shall be extended through January 21, 2015, or until a new Franchise Agreement is negotiated, whichever comes first. All other terms and conditions of the existing Franchise shall remain the same. The parties continue to reserve all rights under the formal procedures of Section 626 of Title VI of the Communications Act of 1934, as amended, and do not waive any rights related thereto.

Approved by the City Council of the City of Newport this 21st day of April, 2014.

\_\_\_\_\_  
Sandra N. Roumagoux, Mayor

Accepted this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

Falcon Telecable, a California Limited Partnership, I/k/a  
Charter Communications

By: Charter Communications VII, LLC its General Manager

By: Charter Communications, Inc., its Manager

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

Mark E. Brown  
Vice President, Government Affairs  
Charter Communications



Noble  
Professional  
Dedicated

Newport Police Department  
**Memorandum**

*One Team - One Future*

---

**Date:** April 14, 2014  
**To:** Spencer Nebel, City Manager  
**From:** Mark J. Miranda, Chief of Police *HM*  
**Subject:** Meeting with OLCC Licensed Establishments

Last year at this time, the Police Department raised concerns about several OLCC licensed establishments in Newport. The concerns centered on the number of calls for service to the establishments, the number of DUII arrests coming from the establishments, and the safety of the public.

After the summer rush, the Police Department met with two of the three establishments. The third establishment was contacted later. The concerns were discussed and statistical information presented to the owner/operators. Information and ideas were shared among all of the participants. Intelligence was even obtained about a possible illegal alcohol related party being held in the county area.

The consensus among the group was that this meeting was good and we should consider holding the meetings quarterly. Since this meeting however, the problems that the Police Department has been seeing have reduced significantly. It was decided by the Police Department to not hold a meeting earlier this year. We will get these establishments and others together in May, before the summer season starts.





Agenda Item # VIII.B  
Meeting Date June 21, 2014

**CITY COUNCIL AGENDA ITEM SUMMARY**  
City Of Newport, Oregon

Issue/Agenda Title: Approval of Task Order No. 12 with Civil West Engineering Services, Inc. for the SW Abalone-Brant Street Improvements Engineering Services

Prepared By: TEG                      Dept Head Approval: TEG                      City Manager Approval:

**Issue Before the Council:**

Approval of Task Order No. 12 for the SW Abalone Street-Brant Street Improvements

**Staff Recommendation:**

Approve the task order

**Proposed Motion:**

I move to approve Task Order No. 12 with Civil West Engineering Services, Inc. for the SW Abalone Street-Brant Street Improvements engineering services in the amount of \$204,274 and authorize the City Manager to execute the task order on behalf of the City of Newport.

**Key Facts and Information Summary:**

This task order is to provide survey, design and construction phase services for the extension of SW Abalone from the curve of Abalone at Safe Haven Hill south to SW 35<sup>th</sup> Street, the extension of SW 30<sup>th</sup> between Abalone and Brant Streets, the upgrade of SW Brant from 30<sup>th</sup> to South Jetty Road to a full urban section, and the upgrade of SW 27<sup>th</sup> between Brant and Abalone to a full urban section. These improvements are being completed to prepare for the Oregon Museum of Science and Industry (OMSI) development which is scheduled to start construction in 2015, and to tie into the Hwy 101 improvements at SW 35<sup>th</sup> Street scheduled to be constructed in 2016. The improvements will be completed in accordance with the approved Coho-Brant Neighborhood Plan.

**Other Alternatives Considered:**

N/A

**City Council Goals:**

N/A

**Attachment List:**

- Task order No. 12 to Engineering Services Agreement for Streets and Storm Sewer Engineering Services
- City of Newport - South Beach Roadway Improvements - Phase 1 (Abalone, 27th, 30th) Scope of Work
- Appendix A to Scope of Work - Fee Schedule

**Fiscal Notes:**

This project is being funded through a combination of funds from the South Beach Urban Renewal District (SBURD) and OMSI. SBURD is contributing \$2,524,000 and OMSI is contributing \$496,000 to the project.



486 'E' Street  
Coos Bay, OR 97420  
541-266-8601

609 SW Hubert Street  
Newport, OR 97366  
541-264-7040

## ENGINEERING SCOPE OF SERVICES

Date: March 25, 2014

Work Order Number:

To: Mr. Tim Gross, PE, Public Works Director, City of Newport

From: Garrett Pallo, PE, President, Civil West Engineering Services, Inc.

RE: **City of Newport – South Beach Roadway Improvements – Phase 1 (Abalone, 27<sup>th</sup>, 30<sup>th</sup>)**  
Civil West Project Number: 2302-027

The purpose of this scope of services is to describe the proposed approach, costs, and schedule that Civil West will follow to support the City of Newport in order to complete a project to construct new roadway improvements in the area of the new OMSI development and the Coho/Brant neighborhood.

### Background Summary

The City of Newport has completed preliminary planning for infrastructure improvements in the Coho/Brant neighborhood in a Infrastructure Refinement Plan (August 2012). The plan recommends improvements for roadway, sewer, water, and drainage improvements in the areas located south of the Yaquina Bay as west of Highway 101 and north of SW 35<sup>th</sup> Street. This area will also be home to the new OMSI development that is currently in the preliminary design stages.

Roadway improvements included within this project will include new roadway construction on Abalone south of Safe Haven Hill to SW 35<sup>th</sup>, 30<sup>th</sup> between Abalone and Brant, and 27<sup>th</sup> between Brant and Abalone. Some sections will be completely new construction sections while others will be realignments and overlays or paving of existing gravel roads. Some sections may require fill or retaining systems while others will require grading. All of the designs must be coordinated with ODOT that will tie in the new streets at SW 35<sup>th</sup> and with OMSI that will be constructed in the midst of the new improved roadways.

### Part A: Scope of Work

The following tasks have been identified to track the project's progress. Each task will be assigned a certain number of engineering hours for completion. While there may be many subtasks included within these major task areas, only the major tasks will be discussed below.

#### Newport – South Beach Roadway Improvements – Phase 1 – Proposed Scope of Services

- 1. Task 1 – Project Management and Administrative Services** – Under this task, we will provide the necessary project management and administrative services to conduct an orderly and well-managed project. This will include organizational issues, financial, and other administrative requirements. This will also include coordination with the City, funding agency, regulatory agencies, and others as applicable.

2. **Task 2 – Project Kickoff and Data Gathering** – Under this task, we will conduct a kickoff meeting that will include representatives from the City, ODOT (if available), and the OMSI team (if available). We will discuss the overall project objectives and seek design input and ideas from the stakeholders for the project. We will discuss project schedules, concerns, and other parameters to make sure all are aware of the issues. We will also walk the project routes, discuss specific project challenges, and consider preliminary design concepts and solutions. This task will also include an allowance of time to obtain existing information and planning from ODOT and OMSI, review existing documentation and plans, and obtain topographic and boundary survey data from our survey team.
3. **Task 3 – Design Services** – Under this task, our team will prepare the design for the planned improvements including roadway, traffic control and lighting, drainage, and other planned improvements. This will include detailed plan views, street profiles, section designs, details, and other information necessary for a complete project design. Plans will be prepared according to the City’s standards and desired cross sections for each road. Curb, gutter, and sidewalk design will also be included where appropriate and electrical and lighting design to match the work completed on nearby Ash Street.
4. **Specialty Engineering Support Services** – We have included this task to cover costs that we anticipate as necessary to complete a wetland delineation of the project areas. If wetlands exist along any of the planned alignments, our designs must seek to avoid impacting those wetlands or proper mitigation steps must be taken. This task will include the completion of a wetland delineation and report along with surveying support to locate the delineation flags in our design drawings. At this time, no additional specialty engineering support is expected.
5. **Task 5 – Bid Phase Services** –Through this task, we will provide bid phase support on the project with a goal of helping the City secure a qualified and responsive bidder to complete the work. Our support will include answering questions, providing clarification and addenda if required, attend and assist with the bid opening, review bids for accuracy, and issue a recommendation to award. We will also assist with the notice of intent to award, the processing and administration of contracts, and the issuance of the notice to proceed within this task.
6. **Task 6 – Construction Phase Services** - This task will include an allowance of hours for engineering support during the construction phase. This will include construction management support tasks such as coordination, clarification, and engineering field support. It will also include financial services such as reviewing payment requests, reviewing and processing credible change order requests, and tracking project budgets and schedules. This task will also include an allowance of hours to provide construction observation/inspection support during the construction phase. This task will also include an allowance for providing basic survey stakeout control for the contractor at the beginning of the project. Additional stakeout support will be responsibility of the contractor.
7. **Task 7 – Project Closeout Services** – Through this task, we will close out the project by administering the punch list process, closing out all final payment issues, preparing record drawings, and assembling the project album to present to the City as a permanent record. The album will include photographs from the construction process, daily inspection reports, record drawings, and other key project documents.
8. **Task 8 – Reimbursables** – This task will include allowances for project costs related to reimbursable expense items. These include:
  - a. Travel costs – we have included an allowance for travel costs for meetings, various site visits to the City for meetings, site visits, and other travel need related to this project.

- b. Publication, reproduction, and office costs – under this item, we have included a reimbursable allowance to provide the City with copies of any draft and final report(s), plans, contract documents and specifications, including digital deliverables upon request.

We recognize that some additional engineering services may be required for this project once the design concept is finalized. For example, some geotechnical support may be required if extensive fill and/or retaining walls are required for any stretches of the work (i.e. 30<sup>th</sup>, Brant, etc.). Also, no structural engineering has been included at this point for special construction that may be deemed necessary later in the design process. We have also not anticipated a need for other special evaluations such as a biological assessment or cultural evaluation or a cross-cutter review.

**Part B: Project Fee Proposal**

We have prepared a detailed fee proposal worksheet that we have attached to this proposal (see Exhibit A). The worksheet includes a summary of the proposed tasks and subtasks as described above along with estimates of hours for completion of the tasks and the associated billing rates for the individuals involved.

A summary of the proposed fee schedule is provided below:

<b>Task</b>	<b>Summary of Proposed Engineering Budget:</b>	<b>Budget</b>
1	Project Management and Administrative Services	\$8,832.00
2	Project Kickoff and Data Gathering	\$11,520.00
3	Design Services	\$97,176.00
4	Specialty Engineering Support Services	\$20,708.00
5	Bid Phase Services	\$13,116.00
6	Construction Phase Services	\$35,796.00
7	Project Closeout Services	\$15,876.00
8	Reimbursables	\$1,250.00
<b>Total Proposed Engineering Budget</b>		<b>\$204,274.00</b>

The above project budget represents an estimate of reasonable project involvement and includes an allowance of hours to provide the proposed level of support. The project will proceed on a time and materials basis and, if completed under budget, the City will enjoy the savings. If, additional support is required beyond these allowances, we will coordinate with the City on an amendment to the agreement.

**Part C: Project Schedule**

The project schedule for these improvements is time critical and must be coordinated with OMSI, ODOT, and the City of Newport. It is assumed that construction is best slated for spring and summer of 2015. With that in mind, the following schedule is proposed:

1. Engineer is authorized to proceed..... Mid-April 2014 (assumed)
2. Kickoff meeting and survey undertaken..... late April 2014
3. Conceptual plan (35%) presented ..... July 2014
4. Draft plans (65%) submitted for review ..... by October 1, 2014
5. Final draft (95%) submitted for review..... by December 1, 2014
6. Plans complete and ready for bidding..... By February 1, 2015
7. Contract NTP given ..... by April 1, 2015
8. Construction window..... approx. 6 months

9. Construction completed ..... by October 2015

The above schedule is preliminary and a rough estimate based on available and known parameters. The project schedule can be adjusted, as required, to meet budget or time constraints for the City or the other stakeholders. We will coordinate carefully with all parties and seek a more detailed schedule at the kickoff meeting at the beginning of the project.

We are grateful for this opportunity to provide these services to the City of Newport. We are prepared to begin this work on this important project as soon as we are authorized to do so. Please let me know if you have any questions or if you wish to see any alterations to our proposed approach. If this proposed approach is acceptable, please sign below and return a copy to our office for our records.

Sincerely,  
**Civil West Engineering Services, Inc.**



J. Garrett Pallo, PE  
President

Authorized Representative Signature Accepting Scope of Services

Date

City of Newport  
 South Beach Roadway Improvements - Phase 1  
 March 24, 2014

Engineering Fee Structure											
	Principal Engineer	Project Manager	Senior Project Engineer	Project Engineer	Engr Tech	Construction Inspection	Clerical	Subcontractor Support	Total Hours	Total Fee	
	\$140.00	\$128.00	\$121.00	\$115.00	\$97.00	\$78.00	\$44.00	Lump Sum			
<b>Tasks</b>											
<b>1</b>	<b>Project Management and Administrative Services</b>										
1a	Admin, Coordination, Project Management		24	40			8		72	\$8,832.00	
	<b>Task Total</b>		<b>24</b>	<b>40</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>8</b>	<b>\$0.00</b>	<b>72</b>	<b>\$8,832.00</b>
<b>2</b>	<b>Project Kickoff and Data Gathering</b>										
2a	Kickoff meeting, site visit, stakeholders, and gather available info		8	16		16			40	\$4,720.00	
2b	Project site survey and data collection			8		8		\$5,000.00	16	\$6,800.00	
	<b>Task Total</b>		<b>8</b>	<b>24</b>	<b>0</b>	<b>24</b>	<b>0</b>	<b>0</b>	<b>\$5,000.00</b>	<b>56</b>	<b>\$11,520.00</b>
<b>3</b>	<b>Design Services</b>										
3a	Design activities, preparation of plans, details, and related documents.		16	300	80	240	8		644	\$73,952.00	
3b	Development of specifications, contract documents, bid forms, etc.		8	120	40	16	8		192	\$23,224.00	
	<b>Task Total</b>		<b>24</b>	<b>420</b>	<b>120</b>	<b>256</b>	<b>0</b>	<b>16</b>	<b>\$0.00</b>	<b>836</b>	<b>\$97,176.00</b>
<b>4</b>	<b>Specialty Engineering Support Services</b>										
4a	Wetland delineation and evaluation of routing		2	8				\$13,000.00	10	\$14,304.00	
4b	Coordination and design modification discussion due to wetland issues; survey wetland delineation flags		2	24		16		\$1,500.00	42	\$6,404.00	
	<b>Task Total</b>		<b>4</b>	<b>32</b>	<b>0</b>	<b>16</b>	<b>0</b>	<b>0</b>	<b>\$14,500.00</b>	<b>52</b>	<b>\$20,708.00</b>
<b>5</b>	<b>Bid Phase Services</b>										
5a	Bid support, clarifications, follow up, questions, administration of bid		4	40	8	8	8		68	\$7,776.00	
5b	Review of bids, issuance of documents, contract admin, NTP, etc.		4	24	8	4	8		48	\$5,340.00	
	<b>Task Total</b>		<b>8</b>	<b>64</b>	<b>16</b>	<b>12</b>	<b>0</b>	<b>16</b>	<b>\$0.00</b>	<b>116</b>	<b>\$13,116.00</b>
<b>6</b>	<b>Construction Phase Services</b>										
6a	Construction management, financial support, coordination, Initial Stakeout by surveyor for control, etc.		4	80	16	24		\$1,500.00	124	\$16,564.00	
6b	Inspection services (allowance)		4	24			200		228	\$19,232.00	
	<b>Task Total</b>		<b>8</b>	<b>104</b>	<b>16</b>	<b>24</b>	<b>200</b>	<b>0</b>	<b>\$1,500.00</b>	<b>352</b>	<b>\$35,796.00</b>
<b>7</b>	<b>Project Closeout Services</b>										
7a	Closeout project activities; record drawings, punch list admin, etc.		4	40	8	40			92	\$10,528.00	
7b	Preparation of project album		4	16	4	16	16		56	\$5,348.00	
	<b>Task Total</b>		<b>8</b>	<b>56</b>	<b>12</b>	<b>56</b>	<b>0</b>	<b>16</b>	<b>\$0.00</b>	<b>148</b>	<b>\$15,876.00</b>
<b>8</b>	<b>Reimbursables</b>										
8a	Travel and Per Diem Costs									\$750	
8b	Reproduction, copies, and office expenses									\$500	
	<b>Task Total</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>\$0.00</b>	<b>0</b>	<b>\$1,250.00</b>
<b>Total</b>	<b>84</b>	<b>740</b>	<b>164</b>	<b>0</b>	<b>388</b>	<b>200</b>	<b>56</b>	<b>\$21,000.00</b>	<b>1632</b>	<b>\$204,274.00</b>	

CITY OF NEWPORT  
TASK ORDER NO. 12  
TO ENGINEERING SERVICES AGREEMENT  
FOR STREETS AND STORM SEWER  
ENGINEERING SERVICES

This TASK ORDER NO. 12 to the Engineering Services Agreement dated August 17, 2011, hereinafter called Agreement, between the City of Newport, (CITY), and Civil West Engineering Services, Inc., (ENGINEER).

**A. Description of Project**

SW Abalone-Brant Street Improvements per the attached scope of services.

**B. SCOPE OF SERVICES**

The City agrees to utilize the services of ENGINEER and ENGINEER agrees to perform streets and storm sewer engineering services set forth in Attachment A.

**C. CITY'S RESPONSIBILITIES**

CITY to provide ENGINEER with the following information:

1. CITY shall provide timely review of submitted products (2-week turnaround), as appropriate.

**D. COMPENSATION**

1. CITY shall pay ENGINEER according to the fee schedule set forth in Exhibit A to the Engineering Services Agreement dated March 24, 2013.
2. Services provided under this Task Order shall not exceed two-hundred thousand, two-hundred seventy-four dollars (\$204,274.00).

**E. MISCELLANEOUS**

All terms and conditions of the Engineering Services Agreement apply to this Task Order as though fully set forth therein. In the event of a conflict between this Task Order and the Engineering Services Agreement, the terms of this Task Order shall apply.

The parties do mutually agree to all mutual covenants and agreements contained within this Task Order No.12.

**CITY OF NEWPORT:**

By: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

**CIVIL WEST ENGINEERING SERVICES, INC.**

By: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_



**City of Newport**  
**Engineering Department**  
 169 SW Coast Highway  
 Newport, OR 97365

Phone: 1.541.574.3366  
 Fax: 1.541.265.3301

**CITY OF NEWPORT, OR**  
**SW ABALONE-BRANT STREET IMPROVEMENTS**



This map is for informational use only and has not been prepared for, nor is it suitable for legal, engineering, or surveying purposes. It includes data from multiple sources. The City of Newport assumes no responsibility for its compilation or use and users of this information are cautioned to verify all information with the City of Newport Engineering Department.

300 150 0 300 600 Feet