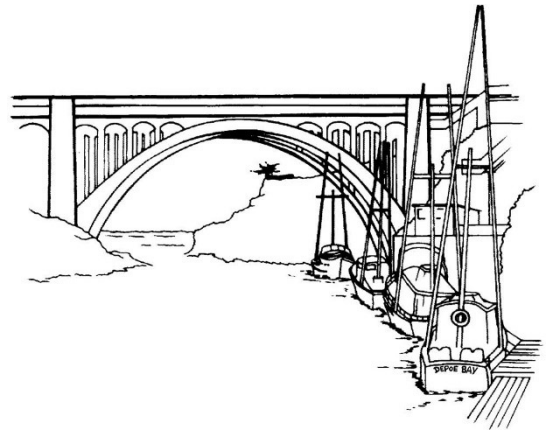


City of Depoe Bay

Harbor Commission Regular Meeting

March 27, 2024 – Wednesday, 3:30 PM

Depoe Bay City Hall – 570 SE Shell Avenue



The Meeting Location is Accessible to the Public

To Join from Your Computer, Tablet, or Smartphone:

<https://us02web.zoom.us/j/83555027726?pwd=KzdZeWpkVWwvYXdMXXFWRytwQitUUT09>

Meeting ID: 835 5502 7726

Passcode: 389233

To Join from Your Phone:

Phone: (253) 215-8782

Meeting ID: 835 5502 7726

Passcode: 389233

Public comments may be made via email up to two hours before the meeting start time at info@cityofdepoebay.org

Please Note: In the event of Zoom Technical Difficulties the Telephone Conference System will be utilized. Dial (888) 204-5987, Access code 9599444

AGENDA

- A. Call Meeting to Order and Establish a Quorum
- B. Changes and Additions to the Agenda
- C. Correspondence
- D. Approval of Minutes: February 28, 2024
- E. Public Input
- F. Liaison Officer Report
- G. Harbormaster and City Recorder Reports
- H. Unfinished Business
 - 1) Docks 2-4 Replacement Project – Advanced American Construction Draft Baseline Schedule
 - 2) Dock Leases – Recommendation for City Council April Meeting
 - 3) Fiscal Year 2024-25 Harbor Budget Recommendations
- I. New Business
 - 1) Fish Plant Lease – Recommendation for City Council April Meeting
- J. Commissioner Concerns
- K. Adjourn

Depoe Bay City Hall is accessible to the disabled. If special accommodations are needed, please call City Hall at 541-765-2361 48 Hours in advance of the meeting so that appropriate assistance can be provided.
TTY# 1-800-735-2900

Depoe Bay Harbor Commission
Regular Meeting
Wednesday, January 31, 2024
3:30 PM
Depoe Bay City Hall

PRESENT: L. Martin, Chair J. O'Brien, D. Zimmerman, T. Mick
STAFF: Harbormaster R. Hildenbrand, Administrative Assistant Gina Burke
City Recorder K. Wollenburg and Deputy City Recorder C. Duering (3:40 PM)

A. CALL MEETING TO ORDER

Chair O'Brien called the meeting to order and established a quorum at 3:31 PM.

B. CHANGES AND ADDITIONS TO THE AGENDA

There were no changes or additions.

C. CORRESPONDENCE

There was none.

D. APPROVAL OF MINUTES: January 31, 2024

Motion: Martin moved to approve the January 31, 2024, minutes. Zimmerman seconded.

Vote: Motion passed.

Ayes: Martin, O'Brien, Zimmerman, Mick

E. PUBLIC INPUT

There was none.

F. LIAISON OFFICER REPORT

Martin reported on the February 6, 2024, and February 20, 2024, City Council meetings: 1) Proposed Property Purchase – CA White 2) Ordinance 345-24 – Banning Fireworks; 3) Ordinance 346-24 – Parks and Recreation Commission; 4) Budget Committee Application – Judy Faucett; 5) Planning Commission Application – C.A. White; 6) Planning Commission Application – Scott Whitmire; 7) Auditor Request for Proposals (RFP); 8) Fish Plant Lease.

Chair O'Brien announced that the Commission needed to discuss the liaison schedule. The Commission agreed on the following: March – Martin; April – Mick; May – Zimmerman; June – O'Brien; July – Burright.

G. HARBORMASTER AND CITY RECORDER REPORTS

Hildenbrand summarized his report (copy attached to the original of these minutes). He reported on 1) Repair and installation of finger docks; 2) Expansion of the security camera system; 3) Fuel bunker placards; 4) Fiscal year 2024-25 budget discussion items; 5) Dewatering existing docks.

Discussion followed regarding 1) Dewatering the docks; 2) Salvaging the finger piers.

H. UNFINISHED BUSINESS

1) Docks 2-4 Replacement Project Update

The City Recorder reported on 1) The pre-construction meeting will be held on March 7, 2024; 2) The submittal review and approval process; 3) To date submittals are under review for the dock system and steel pipe piles; 4) Advanced American Construction will be preparing a construction project timeline; 5) The bid protest matter has been resolved.

Discussion followed regarding the bid protest and settlement.

2) Dock Leases

The City Recorder stated her appreciation of the lease schedule prepared by the Deputy City Recorder (copy attached to original of these minutes).

Martin stated that she spoke with the Lincoln County Accessor and others and Depoe Bay is unique.

The Harbormaster stated 1) The Port of Toledo has a lease with the Department of State Lands; 2) The City of Warrenton and Embarcadero marinas do not have any dock leases; 3) The Port of Newport leases property from the State and subleases to the National Oceanic Atmospheric Administration (NOAA) for \$1; 4) The Port of Newport has a license agreement with the Chelsea Rose, a barge, at a rate of \$2 per square foot; a license agreement is revocable at any time.

Discussion followed regarding 1) The City Council is asking for a recommendation on reinstating the dock leases and the fish plant facility; 2) The rate schedule prepared by the Deputy City Recorder; 3) The fish plant lease (copy attached to original of these minutes); 4) The Harbormaster will coordinate with the lessee to schedule a tour/inspection of the fish plant; 5) Geoff Molfino, the lessee, has expressed his desire to renew the expired lease; 6) The Council has extended the lease three-months; 7) The property formerly owned by Imperial Marine is currently owned by Mark Faye; the tenant, a slime eel processing company, has moved out and the building is vacant; 8) Molfino has been a good tenant however, the property needs to be cleaned-up; 9) Inspection and operation of the City owned hoist; 10) The 2014 report prepared by Clearwater Engineering will be distributed via email to the Commissioners; 11) The condition of the dock owned by Janet Fader; 12) The lease terms require a lessee to maintain

and keep the premises in good repair; 12) Who would be responsible for dock removal should a lease not be reinstated?

In conclusion, O'Brien requested that the Commissioners come prepared to draft a recommendation to the City Council at the March 27, 2024, Harbor Commission meeting.

Discussion followed regarding 1) Dock ownership; 2) The harbor is identified on the Lincoln County Assessor's Office GIS maps as several tax lots; 3) Utilizing the rate schedule prepared by City staff as a basis for the recommendation to City Council; 4) Two sections of the five-section dock owned by Tradewinds Charters were damaged in 2018 during a storm and not replaced; 5) Determining the measurements of the existing docks; 6) Council should review/discuss the 2013 harbor boundary survey; 6) The terminated dock leases were not a major revenue resource.

I. NEW BUSINESS

1) Sea Wall Maintenance Issues

The Harbormaster explained that the corner of the seawall closest to the fuel bunker had separated. The Public Works Director notified the US Army Corps of Engineers (USACE) via email with photographs attached. To his knowledge, they have not responded.

Discussion followed regarding 1) Water is flushing in and out of the cracks; 2) The large horizontal crack between Docks 3 and 4; 3) The City does not have the right equipment or materials to address the issue; some of those cracks are more than a foot deep; 4) Seawall maintenance/repair responsibilities; 5) Temporary fixes/patches; 6) USACE core sample results; 7) The Harbor Docks 2-4 Dock Replacement project in correlation to the seawall.

2) Fiscal Year 2024-25 Harbor Budget Discussion

The Commission discussed 1) Do not need a new Harbormaster boat; the floating platform will work fine; 2) Resealing the launch ramp parking lot and Oregon State Marine Board grant funding opportunities; 3) Replacing Dock 1 decking, electrical pedestals, and cleats; 4) Clarifying with PND Engineering potential issues with Docks 2-4 if any regarding stainless steel to aluminum interface; 5) Molly bolts.

J. COMMISSIONER CONCERNS

Zimmerman: Dock 1 is almost fifteen years old; the warped rubber mats are a tripping hazard.

Mick: I am looking forward to the new accounting system. I have a tough time seeing that the harbor is losing money. The harbor fuel price is \$2 more than in Lincoln City.

The City Recorder responded that the fuel revenue is low, however, the fuel sales will increase during peak season. The budget forecast was based on last year's revenue.

Discussion followed regarding 1) The City is on a fiscal year beginning July 1st and ending June 30th; 2) Boat launch fee revenue; 3) Reminding the moorage holders to turn the shore power off when not in use; 4) Boat safety life jacket requirements signage; 5) Restroom vandalism; 6) Two prefab modular non-ADA compliant restrooms have been purchased; 7) Termination of restroom lease agreements; 8) Proposed restroom location(s).

O'Brien: No concerns. The next meeting will be March 27th at 3:30 PM.

K. ADJOURN

There being no further business, the meeting was adjourned at 4:52 PM.

Chair Jack O'Brien

Carla Duering
Deputy City Recorder



City of Depoe Bay VenTek RCS

Payment Settlement Report

SELECTED BY SETTLEMENT TIME

11 Mar 2024 5:00:16PM

Date: February 01, 2024 to February 29, 2024

Time: ALL

Date & Time	Account	Batch ID	Items	Amex	Visa	MC	Discover	Total \$
Location: Lot Terminal: 3021999 (3021999)								
2/5/2024 11:50:06PM	000075334599.001	AutoSettled	4	0.00	30.00	10.00	0.00	40.00
	Visa 7528	2201		0.00	10.00	0.00	0.00	10.00
	Visa 2689	2200		0.00	10.00	0.00	0.00	10.00
	MC 4376	2202		0.00	0.00	10.00	0.00	10.00
	Visa 5870	2203		0.00	10.00	0.00	0.00	10.00
2/10/2024 11:50:06PM	000075334599.001	AutoSettled	16	0.00	150.00	10.00	0.00	160.00
	Visa 1506	2211		0.00	10.00	0.00	0.00	10.00
	Visa 7760	2209		0.00	10.00	0.00	0.00	10.00
	Visa 5361	2210		0.00	10.00	0.00	0.00	10.00
	Visa 8274	2214		0.00	10.00	0.00	0.00	10.00
	Visa 0474	2215		0.00	10.00	0.00	0.00	10.00
	Visa 8009	2213		0.00	10.00	0.00	0.00	10.00
	Visa 5029	2219		0.00	10.00	0.00	0.00	10.00
	Visa 4435	2216		0.00	10.00	0.00	0.00	10.00
	MC 0017	2208		0.00	0.00	10.00	0.00	10.00
	Visa 1957	2205		0.00	10.00	0.00	0.00	10.00
	Visa 7227	2212		0.00	10.00	0.00	0.00	10.00
	Visa 9369	2217		0.00	10.00	0.00	0.00	10.00
	Visa 3466	2218		0.00	10.00	0.00	0.00	10.00
	Visa 1653	2204		0.00	10.00	0.00	0.00	10.00
	Visa 8512	2206		0.00	10.00	0.00	0.00	10.00
	Visa 0757	2207		0.00	10.00	0.00	0.00	10.00
2/13/2024 11:50:22PM	000075334599.001	AutoSettled	4	0.00	40.00	0.00	0.00	40.00
	Visa 9238	2220		0.00	10.00	0.00	0.00	10.00
	Visa 0658	2221		0.00	10.00	0.00	0.00	10.00
	Visa 2681	2223		0.00	10.00	0.00	0.00	10.00

Payment Settlement Report

SELECTED BY SETTLEMENT TIME

11 Mar 2024 5:00:16PM

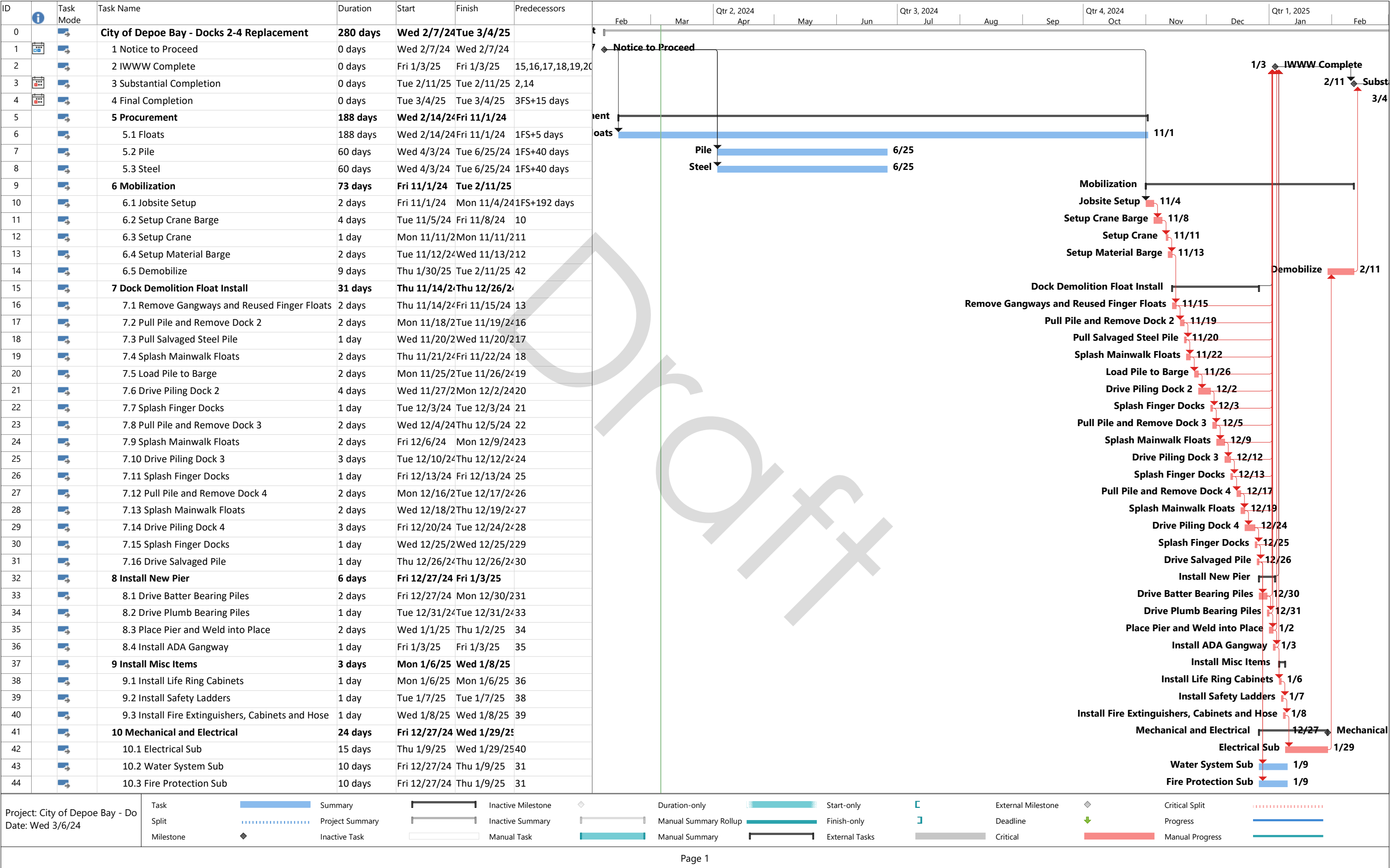
Date: February 01, 2024 to February 29, 2024

Time: ALL

Date & Time	Account	Batch ID	Items	Amex	Visa	MC	Discover	Total \$
	Visa 1022	2222		0.00	10.00	0.00	0.00	10.00
2/22/2024 11:50:00PM	000075334599.001	AutoSettled	10	0.00	80.00	20.00	0.00	100.00
	Visa 9988	2231		0.00	10.00	0.00	0.00	10.00
	Visa 4790	2232		0.00	10.00	0.00	0.00	10.00
	Visa 5614	2225		0.00	10.00	0.00	0.00	10.00
	Visa 1246	2226		0.00	10.00	0.00	0.00	10.00
	Visa 6705	2233		0.00	10.00	0.00	0.00	10.00
	Visa 7528	2234		0.00	10.00	0.00	0.00	10.00
	MC 9157	2230		0.00	0.00	10.00	0.00	10.00
	Visa 1344	2228		0.00	10.00	0.00	0.00	10.00
	Visa 0027	2227		0.00	10.00	0.00	0.00	10.00
	MC 5584	2229		0.00	0.00	10.00	0.00	10.00
2/23/2024 11:50:24PM	000075334599.001	AutoSettled	4	0.00	40.00	0.00	0.00	40.00
	Visa 2275	2237		0.00	10.00	0.00	0.00	10.00
	Visa 9238	2236		0.00	10.00	0.00	0.00	10.00
	Visa 8755	2235		0.00	10.00	0.00	0.00	10.00
	Visa 9617	2238		0.00	10.00	0.00	0.00	10.00
2/24/2024 11:50:26PM	000075334599.001	AutoSettled	10	0.00	90.00	10.00	0.00	100.00
	Visa 6400	2248		0.00	10.00	0.00	0.00	10.00
	Visa 8496	2247		0.00	10.00	0.00	0.00	10.00
	MC 4496	2242		0.00	0.00	10.00	0.00	10.00
	Visa 6504	2240		0.00	10.00	0.00	0.00	10.00
	Visa 0464	2246		0.00	10.00	0.00	0.00	10.00
	Visa 4040	2244		0.00	10.00	0.00	0.00	10.00
	Visa 4896	2243		0.00	10.00	0.00	0.00	10.00
	Visa 5228	2241		0.00	10.00	0.00	0.00	10.00
	Visa 9653	2245		0.00	10.00	0.00	0.00	10.00
	Visa 5614	2239		0.00	10.00	0.00	0.00	10.00
Lot	Terminal: 3021999 (3021999)		48	0.00	430.00	50.00	0.00	480.00
Total for Location: Lot			48	0.00	430.00	50.00	0.00	480.00
Grand Total			48	0.00	430.00	50.00	0.00	480.00

Date: February 01, 2024 to February 29, 2024 **Time:** ALL

Date & Time	Account	Batch ID	Items	Amex	Visa	MC	Discover	Total \$
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Harbor Dock Leases

Terminated 2006

Rental Schedule Rate - Per Year

Based on Original Lease Terms - Maximum 5% Increase Every Five Years

	Per Frontage Lineal Foot	Janet Fader 95' Frontage	Imperial Marine 60' Frontage
1975	\$ 8.00	\$ 760.00	\$ 480.00
5 Years	\$ 8.40	\$ 798.00	\$ 504.00
10 Years	\$ 8.82	\$ 837.90	\$ 529.20
15 Years	\$ 9.26	\$ 879.80	\$ 555.66
20 Years	\$ 9.72	\$ 923.78	\$ 583.44
25 Years	\$ 10.21	\$ 969.97	\$ 612.62
30 Years	\$ 10.72	\$ 1,018.47	\$ 643.25
35 years	\$ 11.26	\$ 1,069.40	\$ 675.41
40 Years	\$ 11.82	\$ 1,122.87	\$ 709.18
45 Years	\$ 12.41	\$ 1,179.01	\$ 744.64
50 Years	\$ 13.03	\$ 1,237.96	\$ 781.87

	Per Frontage Lineal Foot	Sea Trollers 150' Frontage
1981	\$ 8.40	\$ 1,260.00
5 Years	\$ 8.82	\$ 1,323.00
10 Years	\$ 9.26	\$ 1,389.15
15 Years	\$ 9.72	\$ 1,458.61
20 Years	\$ 10.21	\$ 1,531.54
25 Years	\$ 10.72	\$ 1,608.11
30 Years	\$ 11.26	\$ 1,688.52
35 years	\$ 11.82	\$ 1,772.95
40 Years	\$ 12.41	\$ 1,861.59
45 Years	\$ 13.03	\$ 1,954.67
50 Years	\$ 13.68	\$ 2,052.41

	Per Frontage Lineal Foot	Tradewinds Charters 200' Frontage
1976	\$ 8.00	\$ 1,600.00
5 Years	\$ 8.40	\$ 1,680.00
10 Years	\$ 8.82	\$ 1,764.00
15 Years	\$ 9.26	\$ 1,852.20
20 Years	\$ 9.72	\$ 1,944.81
25 Years	\$ 10.21	\$ 2,042.05
30 Years	\$ 10.72	\$ 2,144.15
35 years	\$ 11.26	\$ 2,251.36
40 Years	\$ 11.82	\$ 2,363.93
45 Years	\$ 12.41	\$ 2,482.13
50 Years	\$ 13.03	\$ 2,606.23

	Per Frontage Lineal Foot	Monty Roberts 100' Frontage
2006	\$ 8.82	\$ 882.00
5 Years	\$ 9.26	\$ 926.10
10 Years	\$ 9.72	\$ 972.41
15 Years	\$ 10.21	\$ 1,021.03
20 Years	\$ 10.72	\$ 1,072.08
25 Years	\$ 11.26	\$ 1,125.68
30 Years	\$ 11.82	\$ 1,181.96
35 years	\$ 12.41	\$ 1,241.06
40 Years	\$ 13.03	\$ 1,303.12
45 Years	\$ 13.68	\$ 1,368.27
50 Years	\$ 14.37	\$ 1,436.69

Note: Jimco/Rocky Creek Development Leases Terminated June 1997 (See Bill of Sale)