



CITY OF NEWPORT  
Office of the  
CITY MANAGER

**Joseph J. Nicholson, Jr., Interim City Manager**

To: Mayor Henry F. Winthrop and Members of the City Council

From: Joseph J. Nicholson, Jr., Interim City Manager

Date: October 30, 2014

RE: Docket of November 12, 2014 – Post Event Report on Special Event License Approved April 9, 2014 - Eident Sports Marketing, d/b/a Newport Marathon & Half-Marathon; October 12, 2014, from 6:00 a.m. to 4:00 p.m., beginning and ending at Easton's Beach

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As per Council's request regarding the Special Event License for the Eident Sports Marketing, Newport Marathon & Half-Marathon, attached please post-event reports from the Newport Police Department and the Public Services Department providing information on traffic, venue use and associated concerns/recommendations. While the Police Department did not have any issues with the event, the Public Services Department advises that considerable damage to the dune areas of the beach was sustained.

/paf  
Attachment



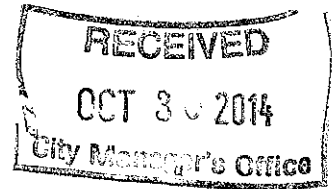
# NEWPORT POLICE DEPARTMENT

*Sergeant Christopher Hayes*

**Community and Traffic Services and Traffic Unit**

**401-845-5717**

**e-mail: [chayes@cityofnewport.com](mailto:chayes@cityofnewport.com)**



**AFTER ACTION REPORT  
EIDENT SPORTS  
NEWPORT MARATHON  
October 12<sup>th</sup> 2014**

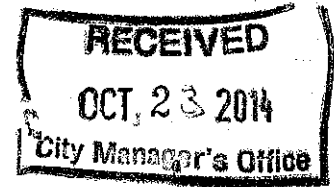
Capt. Calo

The 2014 Eident Sports Marathon was held on Sunday October 12<sup>th</sup> 2014. The role of this office concentrated on the planning of the race route which this year which consisted of three separate starts for the Marathon, Half Marathon and 5K. There were over 5000 participants in this year's event. In the weeks leading up to the race I met several times with Karen Zyons from Eident sports regarding the number of police details required for the event and some previously identified problem spots along the route.

As in previous years Eident sports utilizes Eastons Beach for the staging of the start/finish line as well as the check in and registration area for the event. To the best of my knowledge she coordinates those efforts with Beach Management, as a matter of deployment the Police Department does not stage or maintain a post at this location. NFD had staged an EMS triage area in the beach lot along with the Eident Sports logistics area.

In the final analysis other the event went off on time and with little disruption to the community along the route. As to issues at the staging area no problems or concerns were raised to me as Event OIC or to any other NPD staff prior to, during or after the event took place.

Respectfully  
Sgt. Christopher Hayes



**CITY OF NEWPORT  
DEPARTMENT OF PUBLIC SERVICES  
280 Spring Street  
Newport, RI 02840**

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**MEMORANDUM**

**TO:** Joseph J. Nicholson, Interim City Manager  
**FROM:** William R. Riccio, Jr., PE, Director of Public Services  
**DATE:** October 22, 2014  
**RE:** After Action Report – Marathon sponsored by Eident --- October 11-12, 2014

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The attached memorandum has been prepared after the recent marathon held during Columbus Day Weekend as a means of presenting an after-event report. As a result of the petitioner's disregard to the dune protection requirements within the event venue contract, the Department of Public Services and the Newport Beach Commission together recommend that the city seek legal recourse and monetary damages against the petitioner for the property damages incurred at the site. We, furthermore, collectively recommend that this group no longer be welcomed to host events at any property owned and operated by the City of Newport in the future. We are available to discuss this matter at your convenience.

**Attachments**

xc: Mr. Reis, file.

## EASTON'S BEACH DUNE GRASS REPAIR COSTS

### MATERIALS

American Dune Grass 3,634 square feet x \$.60<sup>1</sup> **\$2,180.40**  
*Plant 1350 culms per 1,000 square feet<sup>2</sup>*

American Dune Grass 363 square feet x \$.60 **\$217.80**  
*Contingency for areas that do not take from Fall Planting*

### EQUIPMENT

Power Equipment Operator 8 hours x \$53.65/hour<sup>3</sup> **\$429.20**  
*Front End Loader Operator to redistribute and prepare sand*

### LABOR

Volunteer 1 \$23.53/hour<sup>4</sup> x 16 hours **\$376.48**  
*Save the Bay volunteer: Prep ground, dig holes, plant and water grass and fertilize*

Volunteer 2 \$23.53/hour x 16 hours **\$376.48**

Volunteer 3 \$23.53/hour x 16 hours **\$376.48**

Volunteer 4 \$23.53/hour x 16 hours **\$376.48**

### MANAGEMENT

Volunteer 1 \$23.53/hour x 20 hours **\$470.60**  
*Save the Bay volunteer: Water grass and fertilize*

**TOTAL MATERIALS \$2,398.20**

**TOTAL EQUIPMENT \$429.20**

**TOTAL LABOR \$1,505.92**

**TOTAL MANAGEMENT \$470.60**

**TOTAL \$4,803.92**

<sup>1</sup> <http://www.sylvannursery.com/pdf/plantdb.pdf>

<sup>2</sup> [http://plants.usda.gov/plantguide/pdf/pg\\_ambr.pdf](http://plants.usda.gov/plantguide/pdf/pg_ambr.pdf)

<sup>3</sup> <http://www.wdol.gov/dba.aspx>

<sup>4</sup> [https://www.independentsector.org/volunteer\\_time](https://www.independentsector.org/volunteer_time)

September 13, 2014

From: Erik Reis  
Beach Manager/Recreation Supervisor  
City of Newport

To: Karen Zyons  
Vice President of Operations  
Eident Racing

**Re: Letter of Agreement - Use of Easton's Beach Property during Newport  
Marathon and Half Marathon, October 12, 2014.**

Dear Ms. Zyons:

It is the City's understanding that Eident Racing (**EIDENT RACING**) would like to enter into an agreement with the City of Newport (the **CITY**) for the temporary use of the Easton's Beach parking lots and Boardwalk to accommodate its daytime participants of the Newport Marathon and Half-Marathon for the period of October 12, 2014 from 6:00 AM to 4:00 PM, inclusive, including setup of race amenities on Friday, October 10, 2014 and Saturday, October 11, 2014. J:Z (K)

While the **CITY** may accommodate your request, it is our mutual best interest to have an agreement in writing by way of this letter of understanding, the provisions of which are as follows:

The **CITY** is the owner of certain parking lots and facilities located at Easton's Beach for which is available for use by patrons on a year round basis. COPY

**EIDENT RACING** will provide its own staff to oversee all aspects of the Newport Marathon and Half-Marathon Program at Easton's Beach from start to finish, 6:00 AM to 4:00 PM, Sunday, October 12, 2014, inclusive. J:Z (K)

**EIDENT RACING** will provide its own staff to setup the Newport Marathon and Half-Marathon Program at Easton's Beach on Friday, October 10, 2014 and Saturday, October 11, 2014.

**EIDENT RACING** desires to lease the boardwalk and parking lot spaces for use of its Newport Marathon and Half-Marathon participants during the daytime hours of 6:00 AM to 4:00 PM, inclusive. J:Z (K)

In consideration of the mutual promises contained herein, the parties do hereby agree as follows:

1. Prior to signing of this letter agreement, **EIDENT RACING** shall provide the **CITY** a copy of binder for liability insurance in the amount of One Million Dollars (\$1,000,000.00) for the period of October 10 to 12, 2014 with the City of Newport named as Additional Insured.

2. EIDENT RACING does hereby agree to save the CITY harmless from any and all claims for personal injuries and/or property damage suffered by any person or property arising from any cause as a result of the EIDENT RACING use of Easton's Beach's amenities, and shall also save and keep the CITY harmless from all damages of any kind, nature and description which may arise to real and personal property occasioned or caused by the use of said parking lot as a result of the making of this letter agreement.
3. EIDENT RACING shall protect and safeguard all sensitive areas, including dunes, vegetation and wildlife. Such areas will be identified by the Beach Manager and EIDENT RACING is required to provide the resources necessary to protect such areas.
4. Any problems arising from the use of these parking privileges shall be brought to the attention of Erik Reis, on-site Beach Manager at (401) 845-5810.

**The term of this agreement shall commence upon payment in advance, payable to the City of Newport, of \$5,000 (five thousand dollars), payable to the City of Newport no later than October 1, 2014.**

This agreement may be terminated by either party by giving the other a written notice. If you are in agreement with the forgoing provisions, please indicate your acceptance of this letter of agreement by signing below and forwarding the same to me for further execution. A fully-executed copy will be furnished to you upon completion.

**CITY OF NEWPORT**

**EIDENT RACINGMARKETING**

\_\_\_\_\_  
Henry F. Winthrop, Mayor

  
\_\_\_\_\_  
Karen Zyons, Vice President of Operations

**CITY SOLICITOR  
APPROVED AS TO FORM:**

\_\_\_\_\_  
Joseph J. Nicholson, Jr.  
City Solicitor

## AMERICAN BEACHGRASS

*Ammophila breviligulata* Fern.  
Plant Symbol = AMBR

Contributed By: USDA NRCS New Jersey State  
Office and the National Plant Data Center



Hitchcock (1951)

### Alternate Names

coastal beachgrass, beach grass, marram grass

### Uses

**Dune Stabilization:** Major use is to stabilize moving sand along the Atlantic seacoast and Great Lakes region. It is the best species for the initial stabilization of frontal dunes.

**Revegetation:** Useful as an erosion control plant on non-dune areas where soils are very sandy or inherently droughty and the site conditions make establishment of seeded species very difficult. In this application, the beachgrass may only survive a few years, but it plays a valuable role in jump-starting

plant succession. Also used on soils high in salinity, such as industrial waste needing vegetative cover.

### Status

Please consult the PLANTS Web site and your State Department of Natural Resources for this plant's current status, such as, state status and wetland indicator values.

### Description

**General:** Grass Family (Poaceae). American beachgrass, is a leafy, spreading, rhizomatous, native, bunch grass with many stems per clump. It may reach a height of two to three feet. The seed head is a spike-like panicle, about ten inches long, and appears in late July or August. Leaves are long and narrow, and may become rolled or folded as it matures.

One outstanding growth characteristic is the strong underground stems (rhizomes) that spread beneath the sand and give rise to many new plants. Its vigorous growth enables the plant to withstand heavy deposits of sand and grow up through it.

### Distribution

For current distribution, please consult the Plant Profile page for this species on the PLANTS Web site.

### Establishment

**Adaptation:** It is native to the mid-Atlantic coastal region from Maine to North Carolina, and the Great Lakes region. It will grow on inland sites, high in sand and/or saline content, provided applications of fertilizers containing nitrogen are made. Requires a sunny position in a light, well-drained soil and is very tolerant of severe maritime exposure. The plant has a deep, strong and extensively creeping rhizome, and can become invasive when growing in suitable conditions. This ability to colonize makes this grass very valuable for dune stabilization.

**Planting:** The best time to plant beach grass is from October 1 to March 30 in the Mid-Atlantic region, but may be extended to April 30 in New England in most seasons. If properly planted, good survival can be expected at any time during this period, except when soil is frozen. Summer plantings are not satisfactory.

American beachgrass can be planted either by hand or by mechanical equipment designed for this work.

Plant Materials <<http://plant-materials.nrcs.usda.gov/>>

Plant Fact Sheet/Guide Coordination Page <<http://plant-materials.nrcs.usda.gov/intranet/pfs.html>>

National Plant Data Center <<http://npdc.usda.gov>>

The stems of plants (culms) are used for planting stock. Two to three culms are planted per hole. Space plants 18" by 18" unless wind erosion is severe, then spacing is reduced to 12" by 12". Stagger the plantings in alternate rows to provide maximum erosion control. On very stable areas where wind is not a factor, a spacing of 24" by 24" is suitable. An 18" by 18" spacing requires 58,500 culms per acre, or 1,350 culms per 1,000 square feet.

Beachgrass culms must be planted at least 8" deep. This prevents plants from drying out, as well as being blown out by the wind. A tiling or ditching spade is an excellent tool for opening the planting hole. The culms and roots must be kept moist before and during planting. Success of planting will increase if the stock is dormant or has made very little growth.

Fertilizer properly applied is the key to good vigorous growth, as coastal sands are rather infertile. Apply fertilizer 30 days after planting, but no earlier than April 1 in the Mid-Atlantic and May 1 in New England. Inorganic, granular fertilizers high in nitrogen are best, if available (N-P-K analysis of 30-10-0, 16-8-8 or 10-10-10). Split the fertilizer applications: One in spring, another early summer, and a third in late summer, only in the establishment year. Apply no more than 1 lb. of N/1000 sq. ft. in a single application.

#### Management

Once the stand is well established, the rate of fertilizer applied can be reduced by half, or applied only when the stand appears to be weakening, based on local soil test results. Pedestrian and vehicular traffic that bends or breaks the culms will seriously damage the plants and may kill them if traffic is intensive.

**Cultivars, Improved and Selected Materials** [Vegetative culms] of 'Cape' and 'Hatteras' are commercially available, though seed is not available.

'Cape' is the most recent variety and was developed by the Natural Resources Conservation Service [*in 1970*] at the Cape May Plant Materials Center, Cape May Court House, New Jersey. Material for this release was collected in Barnstable County, Massachusetts. It is very vigorous, a heavy culm producer with leaves exceptionally broad, and spreads rapidly by rhizomes.

'Hatteras' was developed by the North Carolina Agricultural Experiment Station and is better adapted to southern climates. Hatteras was developed from a

collection of 18 clones screened for vigor and rate of spread. This cultivar is characterized by early vigor.

#### References

Alderson, J. & C. Sharp 1994. *Grass varieties in the United States*. Agriculture Handbook No. 170. USDA, Soil Conservation Service, Washington, D.C. 296 pp.

Gleason, H.A. & A. Cronquist 1991. *Manual of vascular plants of northeastern United States and adjacent Canada*. The New York Botanical Garden, Bronx, New York. 910 pp.

Hitchcock, A.S. 1951. *Manual of the grasses of the United States*. Miscellaneous Publication No. 200. USDA, Washington, D.C. 1051 pp.

Radford, A.E., H.E. Ahles, & C.R. Bell 1968. *Manual of the vascular flora of the Carolinas*. The University of North Carolina Press, Chapel Hill, North Carolina. 1183

Selisker, D.M. 1995. *Coastal dune restoration: A strategy for alleviating dieout of *Ammophila breviligulata**. Restoration Ecology 3(1):54-60.

Seymour, F.C. 1993. *The flora of New England*. Privately printed. 611 pp.

#### Prepared By

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#### Species Coordinator

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USDA, NRCS, New Jersey State Office, Somerset, New Jersey

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For more information about this and other plants, please contact your local NRCS field office or Conservation District, and visit the PLANTS Web site <<http://plants.usda.gov>> or the Plant Materials Program Web site <<http://Plant-Materials.nrcs.usda.gov>>

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