

February 22, 2022  
6:00 P.M.  
Newport, OR

**PORT OF NEWPORT COMMISSION MINUTES**

*This is not an exact transcript. The video of the session is available on the Port's website.*

The Port of Newport Commission met on the above date and time virtually via Microsoft Teams. In attendance were Commissioners Burke, Sylvia, Retherford, and Chuck. Commissioner Lackey joined the meeting at 6:08 p.m. Also in attendance were General Manager Paula Miranda, Operations Director Aaron Bretz, Finance Director Mark Brown, and Administrative Assistant Gloria Tucker.

**CONSENT CALENDAR**

MOTION was made by Chuck, seconded by Retherford, to approve the consent calendar as presented. The motion carried unanimously in a voice vote (4-0).

**OLD BUSINESS**

**Approval of Change Order Regarding Swede's Dock Pilings.** Burke introduced the agenda item. Bretz reported Bergerson Construction performed some minor additional repairs as outlined in the report.

MOTION was made by Retherford, seconded by Sylvia, to authorize the General Manager to pay Bergerson Construction for additional work on Swede's Dock in the amount of \$1,675. The motion carried unanimously in a voice vote (4-0).

**NEW BUSINESS**

**Review Draft FY 22-23 Budget.** Burke introduced the agenda item. He noted the Commission can not discuss the budget until the first Budget Committee meeting in March. Miranda reported this is a draft budget, so it will not be the final product that goes before the Budget Committee. She stated staff are still working on a few things but wanted to give an idea of the budget. She noted some things may change because it's literally a draft. Sylvia added he appreciates notes beside each major change in the budget.

**Approval of HR System.** Burke introduced the agenda item. Brown reported as staff were looking at the payroll system, the payroll provider came out with an HR function that enables the Port to automate many of the things done manually today. He stated the savings will be in the amount of time putting the paperwork together and tracking things down. Burke added he appreciates the trend in efficiency by the Port.

Sylvia confirmed there would not be any further maintenance costs, just the monthly charge going forward.

MOTION was made by Sylvia, seconded by Chuck, to authorize the General Manager, or designee, to enter into an agreement with Integrated Data for Integrated Data's HR system and self-service portal at a cost of \$300 per month. The motion carried unanimously in a voice vote.

**Approval of South Beach Wi-Fi Enhancement.** Burke introduced the agenda item. Brown reported the Wi-Fi in South Beach has long been in need of upgrade. He stated with more people travelling and doing business remotely, the Port needs to have a reliable Wi-Fi system. He noted he stayed there for a short time before he found an apartment in Newport, and some days there was Wi-Fi and some days there wasn't. He indicated this would also expand services so the operations center would have a reliable and fast network connection and add Wi-Fi to the South Beach Marina docks. He added the users would have a good experience.

Retherford asked if the payment will be in this fiscal year or next fiscal year. Brown replied this will probably hit both budgets because of timing. He added there is about a 60-day lead time to get the equipment to drill underground. He noted there is budget this year, and he is budgeting for it next year as well.

Miranda noted this is one item she has received emails on in the past. She stated when people make comments about their stay at the RV Park, this is always one of the issues. She indicated with so many people commuting nowadays, and that place staying fuller than ever on a regular basis, she believes the project is quite important.

Burke noted he has heard complaints as well. He asked if they would find the conduit. Brown replied the likelihood is greater they will not find it. He noted Hyak does have some new tools to attempt to find it. Burke stated the Aquarium has used high pressure water. Brown noted they have a sounding device, but he will recommend high pressure water too. Sylvia asked who will own the equipment. Brown replied the Port will own the equipment and fiber. Sylvia confirmed there will be a two-year warranty.

MOTION was made by Chuck, seconded by Retherford, to authorize the General Manager or designee to enter into an agreement with Hyak for the South Beach Network Wi-Fi upgrade at a cost not to exceed \$85,954.37 plus a contingency of \$12,893.16 (15 percent). The motion carried unanimously in a voice vote.

**Approval of Dredging Permit Consultation (SB, NOAA, NIT).** Burke introduced the agenda item. Bretz reported staff are getting started on submitting the permits for the next three dredging projects, NOAA, South Beach, and the Terminal. He stated it's a pretty comprehensive effort. He noted they are going to have to do an individual consultation with the Corps to do South Beach. He added this proposal offers the most value. Burke clarified the past dredging at South Beach. Bretz stated one of the reasons this will be difficult to permit is it has been so long since the Port has done the permitting to get the berths dredged. Burke added the east ones are very shallow.

Sylvia confirmed Pacific Habitat Services will do the liaison work with permitting agencies as well produce data, material sampling analysis, biological opinions, and submitting permit applications. Bretz noted he will have to feed them some data. He stated this company is good at working with the Corps. He added people would think this is a rigid, scientific process, but that has not been his experience. He indicated it is helpful to have a person onboard who knows all the people involved making all the decisions, works with them regularly, and can provide them with the information they need to make their decision. Sylvia added it's good to have a bureaucratic artist.

MOTION was made by Lackey, seconded by Sylvia, to authorize the General Manager or designee to negotiate a contract with Pacific Habitat Services to provide consulting and permitting

services for the above projects in an amount not to exceed \$45,000 (including a 7 percent contingency). The motion carried unanimously in a voice vote.

### STAFF REPORTS

**General Manager Report.** Miranda apologized to the users of the Port because this past couple of months the Port has had a lot of shortage of staff due to injuries, illness, and turnover. She reported she truly appreciated those who stepped up in covering for folks. She noted Mark Brown and Mark Harris helped with the RV Park, and some folks in maintenance covered for different departments. She indicated a good note, today dirt was moved at the Admin Building, 2-22-22. She added, hopefully, this will go smooth. She stated the contractor has been trying to get ahead and ordering materials when the prices are good.

Miranda reported the Port is on a good trend, and the intent is to get this project completed in eight months. She noted the Port wrapped up the PD5 project. She stated one good note is the contractor that did the project just received an award from Associated General Contractors. She indicated this project will be highlighted because it was well done with federal funds. She added the Port got the permit to grade the 9 acres at the Terminal.

Miranda reported the contractors are waiting for the weather to be less wet. She explained the Port is trying to get rid of some material there. She noted there are some organic materials, which makes it a little bit harder to sell, but it still can be used; it's still clean. She stated the Port is trying to give it out for free before it has to haul out what's left. She indicated the Port does have an obligation with Rondys to get rid of that material. She added when the MARAD has the grant again for infrastructure for small ports, the Port will try to get some equipment and housing for that equipment at the Terminal.

Miranda reported Brown and his folks have been hard at work trying to implement the new financial and reservation system. She noted once things are more organized, the Port will be able to get slips assigned for the commercial area. She stated she knows that has been a desire for many, but staff need to be a little more ready. She indicated that would, hopefully, be coming in the next few months. She added financials continue to look good.

Miranda reported the Port has staff who are very good on staying on top of financials. She noted Bretz and his team have been great on keeping projects on track. She stated she is pleased where things are going. She indicated she is still working on grants and updated the Commission on current grant applications. She added she has been working with Representative Gomberg and his team on funding.

Miranda reported she was given the opportunity to speak before the Ways and Means Committee. She noted the state received a lot of federal funds to apply to infrastructure. She stated the Port has a good project. She indicated she listened to others who presented, and the Port's project is a good one. She added at the end of March there is a chance the mask mandate may be removed from the state and the Commission could meet in person.

Burke asked if the Commission is ready to go back to in-person meetings once the mandate is lifted. The Commission expressed support for in-person meetings.

Sylvia asked Brown about his report, if there was a standard set for speed upfront in PacSoft, since issues had been discovered. Brown replied PacSoft put one correction in place, and all of the sudden the maps are refreshing in about 2 seconds. He noted he informed them today of another issue that they will correct. He explained when the Port put together the RFP, it requested Software as a Service Solution. Sylvia asked if there would be further costs to the Port. Brown

replied in the RFP, the Port stated it was not willing to pay any additional cost not included in RFP. He added they do have a solution, and the Port is not paying for it.

### **COMMISSIONER REPORTS**

Sylvia reported he is part of the advisory committee reviewing the Yaquina Bay Estuary Management Plan. Miranda stated she is part of the steering committee, and the idea is to update the plan, which has been in place more than 20 years. She explained there are issues with environmental issues, climate change, and business needs. She noted there is a consultant reaching out to users.

Sylvia reported the advisory committee met today with the consulting group. He explained when the first plan was put together there was not the same emphasis on endangered species, climate change, or resilience. He noted these are new elements. He stated the plan has the same architecture with zoning requirements, but where the tension will build will be on intended and unintended consequences of new rules and policies for managing for the Yaquina Bay estuary.

Sylvia reported he is going to pay attention to the economic development side. He stated his sense is a lot of the folks with technical backgrounds are mostly biologists who may not be as focused on economic development. He noted there is not very good economic data. He explained everything will be spatially mapped, and there will be an atlas of Yaquina Bay. He added in the end, there will be decisions to make on tradeoffs between social, economic, and environmental issues in terms of rules and zoning. He indicated the project is moving quickly.

Miranda reported she spent an hour interviewing with the consultant. She explained she gave a lot of information on the businesses at the Port, and she shared the economic analysis done by Midwater Trawlers and the county. She noted she spent quite a bit of time on the investment the Port has made and what type of rules would hurt the Port. She stated she also explained some of the needs of the Port of Toledo. She indicated she made sure they were included in the steering committee too.

Miranda reported one of the biggest issues both ports have is finding places to place the dredge material. She noted there are also permitting issues and mitigation is a big problem. She indicated the Port will keep being involved as much as possible. Sylvia noted the strategy is to look for win-win opportunities. He stated his concern for the Port would be to find the Port locked into predetermined development and that it can't get out of the box. He indicated he will come back to the Commission as this goes forward. He added Yaquina Bay is considered the model, and all the other estuaries will have to undergo a new plan.

Burke asked what the timeline is to publish the plan. Miranda replied the contract is for a few years, but their goal is a year or a year and a half. She added she will come back with more details on that.

### **EXECUTIVE SESSION**

Burke announced the Commission would enter executive session pursuant to ORS. 192.660(2)(f) – Exempt Public Records. He explained the rules of executive session. He stated there would not be further discussion after the executive session and adjourned the meeting.

**ADJOURNMENT**

Having no further business, the meeting adjourned at 6:52 p.m.

ATTESTED:

*Jim Burke*

Jim Burke (Mar 24, 2022 09:51 PDT)

James Burke, President

*Walter Chuck*

Walter Chuck, Treasurer/Secretary

