

PORT OF NEWPORT MINUTES

December 18, 2018

Regular Commission Meeting

This is not an exact transcript. The audio of the session is available on the Port’s website.

Agenda Item

**Audio
Time**

I. CALL TO ORDER

0:00

Commission President Stewart Lamerdin called the Regular Commission Meeting of the Port of Newport Board of Commissioners to order at 6:00 pm at the South Beach Activities Room, 2120 SE Marine Science Drive, Newport, Oregon.

Commissioners Present: Walter Chuck (Pos. #1), Secretary/Treasurer; Sara Skamser (Pos. #2), Vice President; Stewart Lamerdin (Pos. #3), President; Jeff Lackey (Pos. #4); and Jim Burke (Pos. #5).

Management and Staff: Teri Dresler, Interim General Manager; Aaron Bretz, Director of Operations; Mark Harris, Accounting Supervisor; and Karen Hewitt, Administrative Supervisor.

Members of the Public and Media: David Jincks; Matt Frank, TCB; Robert Smith, Commercial Fisherman; Heather Mann, Midwater Trawlers Cooperative (MTC); Steve Beck; Jim Cline, Rogue; Janet Webster, Front St. Marine; Stephen Webster, Front St. Marine; Mike Storey, F/V Pegasus; and Dietmar Goebel.

II. CHANGES TO THE AGENDA

0:08

Lamerdin made a change from the original agenda to move public comment to the beginning of the meeting, followed by the discussion of legislative activity and the remainder of the agenda.

III. PUBLIC COMMENT

0:37

No public comment at this time.

IV. DISCUSSION OF LEGISLATIVE ACTIVITY

0:52

Lamerdin introduced the topic and spoke about a meeting with Skamser, Dresler, Representative Gomberg and himself in late November about Port activities. Dresler was later provided with LC 291 (Legislative Concept) and draft bill language, which are included as an addendum to the Meeting Packet, which addresses a number of issues at the Port of Newport. Dresler also introduced a legislative calendar. She said there is a lot of uncertainty at this point since the legislative session has not begun. Dresler also said that she had received information from and spoke with Mark Landauer, Oregon Public Ports Association. The LC 291 has not yet been adopted as a formal bill. There are several pre-session deadlines and additional deadlines during the legislative session that would precede any adoption of a bill. There will also be committee assignments upcoming, which would take place during the week of January 14th. Dresler said that the Legislative Concept is sponsored by Greg Smith, who has the river shipping ports of Morrow and Umatilla in his district. The Port is planning to have a work session with Gomberg to further discuss the possible bill and an update on the Port. Lamerdin asked if there were opportunities for additional bills to be submitted. Dresler said there can be multiple bills, but she does not have any

information at this point. There was additional discussion among the Commissioners and Dresler about possible paths for approval or amendments to a bill. Dresler said that Gomberg asked the Port Commission to consider what aspects of the proposal they could agree with if amended. Lamerdin said it was important to get input from experts in Salem. Burke said getting input from Port stakeholders and building consensus would be an important role for the Commissioners. Skamser read a prepared statement which is appended to these minutes. Chuck commented that the Commission should stand strong and provide information about what the Port is doing – present the story of where the Port has been and where it is going. Lackey added that one of the Port’s values is serving as a steward of public resources, and referred to the Port’s mission statement. He expressed respect and support for the Port staff leadership. He said the Port of Newport is unique in its resources, and the Commission is working for the benefit of the community. Lamerdin agreed there is a need for more information and cohesion of the Commission. He said that this type of legislation is not in the best interest of the Port District or citizens of Newport. There are challenges, but the Port is on an upswing. He suggested that if this legislation were to move forward, it would be key to get an amendment that would allow the members of the Port District to have a say in the outcome. The Commissioners will have a responsibility to attend meetings in Salem. He suggested the Commission prepare a Resolution to clarify the Port’s position and express its resolve.

Heather Mann, MTC, commented that while more information is to be gathered, this proposal is an affront to the Commission, Port Staff and voters of the Port District. She referred to the submission of the Legislative Concept by a firm working for the ILWU. This proposal is a hindrance to the good work of the Port Commission and staff in moving forward. Mann said there is a coalition that will be working to stop this legislation.

28:40

V. CONSENT CALENDAR.....

32:10

- A. Minutes
 - 1. Joint City Council & Port of Newport
Commission Work Session 11/14/18
- B. DSL Waterway Lease – NOAA
- C. Contracts
 - 1. Rogue House of Spirits/Public Restroom Siding

Chuck asked that the siding contract be removed from the Consent Calendar.

A motion was made by Burke and seconded by Skamser to approve the Consent Calendar. The motion passed 5 – 0,

VI. CORRESPONDENCE/PRESENTATIONS

- A. Stephen Webster, Port Dock 1

33:30

Webster referred to the letter included in the Meeting Packet and the diagram included as a Meeting Packet Addendum. Burke asked that Port counsel review the proposal before making a decision. Chuck commented that it could be a benefit to the Bayfront as an opportunity to bring in independent buyers. Bretz added that there may be mitigation credits lost by the Port. Webster also commented on mitigation issues. There was additional discussion about the structural integrity, use and access at Port Dock 1. Webster indicated that work at the site is anticipated to begin in February 2019. The licensing and permitting processes were also discussed.

B. <u>TCB Security Update</u>	52:35
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Matt Frank, Director of Operations for TCB Security, made a presentation to the Commission, included as an Addendum to the Meeting Packet. He gave an example of a TCB Officer response to a situation. Commissioners asked some questions about the expense and benefits of the service.

VII. OLD BUSINESS

A. <u>Rogue House of Spirits/Public Restroom Siding</u>	1:03:50
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Chuck pointed out this is unbudgeted for the Commission’s awareness. Bretz spoke about the need to complete this project that had been raised by Rogue staff.

A motion was made by Chuck and seconded by Skamser to approve a contract to replace the Rogue House of Spirits/Public Restroom siding not to exceed \$20,000. The motion passed 5 – 0,

B. <u>Pay Equity Corrective Action</u>	1:06:20
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Dresler introduced the Staff Report included in the Meeting Packet, and explained how the review had been conducted by the Port with the consulting of HR Answers. She added that the detailed analysis was available for Commissioners to view in the office if requested. Lackey commented on the value of keeping good employees and suggested the Port in the future look at its systems and policies. Dresler acknowledged that the Port’s classification and compensation schedules do need to be addressed, but was not part of compliance with this law. The Job Analysis Questionnaires could be supplemented by a salary market study to help with this update. SDAO also has a Human Resources consultant available.

A motion was made by Lackey and seconded by Chuck to approve taking the corrective action in rates of pay, effective January 1, 2019, for the five Port employees identified by the pay equity compensation analysis to be under paid by the Port without justification for those pay differences within comparable groups through the exceptions provided by the law. The total amount of corrective actions shall not exceed a total of \$5,851.00, The motion passed 5 – 0.

C. <u>Port Dock 5 Grant Request</u>	1:23:34
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Bretz introduced the Staff Report included in the Meeting Packet. He said the Port now has 18 – 20 Letters of Support. He suggested the Commission consider a Resolution demonstrating commitment to the project. There was some discussion around timing and criteria for the grant, and importance of the project. Bretz said there was some additional work to do to apply for a BUILD grant for additional funding.

D. <u>Rogue Seawall Condition Assessment</u>	1:35:14
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Bretz introduced the Staff Report, along with the Structural Evaluation Report prepared by BergerABAM.

VIII. NEW BUSINESS

A. Commission Meeting Mailing List Policy 1:38:48

Hewitt introduced the Staff Report included in the Meeting Packet. There was discussion about options, and there was consensus to include the option on the sign-in sheet and on the website to be added to the list, along with a yearly email to current mailing list members asking if they'd like to continue to receive emails.

IX. DEPARTMENTAL REPORTS

A. Accounting Supervisor 1:41:04

Harris introduced the Staff Report included in the Meeting Packet. He also provided an update on reviewing the process for capturing revenue and changes that have been made.

B. Director of Operations..... 1:45:34
1. November Occupancy Report

Bretz introduced the Staff Report included in the Meeting Packet. There was some discussion on the cable used for the crane.

C. General Manager..... 1:52:54

Dresler introduced the Staff Report included in the Meeting Packet. She spoke about opportunities for the Commissioners to engage in promoting the Port to elected officials and others, in particular the PNWA Mission to Washington in March, 2019, the SDAO Annual Conference in February, 2019, and the Regional PNWA Meeting on February 26, 2019 at the Port of Portland.

X. COMMISSIONER REPORTS/COMMENTS 2:05:00

Burke spoke about meeting with EPA and ODFW regarding mitigation, and some discussion about sea lions. Skamser talked about attending the celebration of life for Don Matthews. She mentioned the upcoming meeting for the CFUG Committee. Chuck said he attended the Ocean Policy Advisory Council Meeting on December 7th, which included information about updating the Oregon oil spill response plan. Lamerdin said he spoke with Newport News-Times staff and a future piece to be submitted. He attended a City Council Meeting, the City Visioning meeting, a meeting with the City Manager regarding LC 291, and the Cascades West Council of Governments Meeting. He suggested ways to remind people about the public comment opportunities at meetings.

XI. CALENDAR/FUTURE CONSIDERATIONS 2:12:14

Christmas Holiday, Port Office Closed..... 12/25/18
New Year's Holiday, Port Office Closed..... 1/1/19
Resolution Run & Polar Bear Plunge 1/5/19
Martin Luther King Day, Port Office Closed..... 1/21/19
Regular Commission Meeting 1/22/19
SDAO Annual Conference..... 2/7 – 2/10/19
Presidents' Day, Port Office Closed 2/18/19
Newport Seafood & Wine Festival 2/21 – 2/24/19

There were no changes to the Calendar/Future Considerations. Dresler reiterated that the CFUG Committee would be meeting on December 20th.

XII. PUBLIC COMMENT

2:13:20

Heather Mann, MTC, thanked the Commissioner for the letter of support for the buyback loan. She spoke about Newport as included in NOAAs annual fisheries report.

Lamerdin commented on ways information could be shared on the Port’s website.

David Jincks commented on the positive way the Commission and staff were working together, and spoke about LC 291. He spoke about the differences between the situations in Coos Bay and the Port of Newport. He said that most people are not well informed about what the Port of Newport has to offer. He said that the fishing industry would be looking to kill the proposed legislation, not amend it. He also spoke about the Port Dock 1 and Steve Webster’s project. He suggested staff review the weight limits for the portion of the Terminal constructed over the Hennebique. He commented on the importance of staying in touch with the PNWA.

XIII. ADJOURNMENT

2:22:12

Having no further business, the meeting adjourned at 8:22 pm.

ATTESTED:

Stewart Lamerdin, President

Walter Chuck, Secretary/Treasurer

December 18, 2018
Sara Skamser's Prepared Statement
Port of Newport
Commission Regular Meeting
Discussion of Legislative Activity

“I feel that this is an aggressive move against the Port of Newport, and if realized, does nothing to improve the Port of Newport, City of Newport, Lincoln County or the State of Oregon. The current Commission has been through a rough patch these last couple of years. We have overcome our internal struggles of trust and dysfunction to realize that all five of us ran to be elected to the Port Commission for one reason and one reason only, to help make the Port of Newport a better place. We are actually more diverse in our history and interactions in Newport than one might think. We have successfully hired an interim manager who has brought her skills to bear on many of the housekeeping and more important administrative skills to increase the efficiency of the staff and the Commission already. We are all pulling in the same direction and have made decisions together to move forward, including a plan to outreach to our City, County and State representatives, and also to our customers and district tax payers to keep them up to speed on Port activity. We are working closely with Rondys Inc., and their build-out at McLean Point. We have a shovel ready project to replace the Port Dock 5 pier, which is a main artery to all the business relying on access to their vessels. We have voted to hire a consulting firm to write our 5-year Strategic Business Plan that includes a deep dive into maximizing the use of the Terminal. And most importantly, the Commission is now doing its job – which is making policy. It is unfortunate that this pending possible action from the State just increases the headwinds we face as we tackle the challenges at the Port of Newport. We will continue to put one foot in front of the other irregardless. That is what the Port District tax payers and customers expect.”