

July 26, 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 at the South Beach Activity Room, 2120 SE Marine Science Dr., and virtually via Microsoft Teams. In attendance were Commissioners Burke, Lackey, Sylvia, Retherford, and Chuck. Also in attendance were General Manager Paula Miranda, Director of Finance and Business Services Mark Brown, Administrative Assistant Gloria Tucker, and visitors from the public Mike Sorensen, and Lauren Craven.

PUBLIC COMMENT

Sorensen, Charter operator, stated he has some friends who would like to donate a covering at the main fillet tables. He noted they would donate all materials and time to completely cover the two tables. He indicated it's a \$10-15,000 investment. He added they would like to make the donation as a memorial for two dogs and another friend that passed away.

Sorensen stated he talked to Harbormaster Kody Robinson and learned the sensor for the lights above the tables is at an electrical box nearby, so they would not be affected by the cover. He noted the cover is heavy duty. He indicated this would not be a fly by night outfit. He added his friends have been interested since May, and they would like to get this done ASAP.

Sorensen stated they have the materials, and it would be a one-day project. He noted installation will not interfere with the fillet tables at all. Miranda stated she is aware of the interest, and Operations Director Aaron Bretz is coordinating that. She noted this donation does not entitle anyone to exclusivity. Sorensen replied he expects nothing from it.

Miranda added Business Oregon may have grants to fund some additional tables. She recommended Commission authorize her to negotiate with the donors.

Burke added Cover for Fillet Tables to New Business.

CONSENT CALENDAR

MOTION was made by Lackey, seconded by Chuck, to approve the Consent Calendar as presented. The motion carried unanimously in a voice vote.

OLD BUSINESS

Amendment to Memorandum of Understanding between Port of Newport and City of Newport - Additional Changes by City Attorney. Burke introduced the agenda item. Miranda reported this is back before Commission because the city's attorney had not reviewed it yet. She noted she ran this by the Port's attorney, and he approved it. She explained it is important for the Port to have this understanding with the city. She stated both have benefits from it. She indicated the Port gets to store sand that is not usable at the airport, and the city gets to use materials for free, but would have to pay the same transportation tariff charged to others for bringing heavy trucks into the site.

MOTION was made by Chuck, seconded by Sylvia, to approve the amended Memorandum of Understanding to include the additional language, as requested by the City of Newport. The motion carried unanimously in a voice vote.

Renewal of DSL 11865-SG Application. Burke introduced the agenda item. Miranda reported this renewal has to be done every three years. She stated without this license, the Port loses the ability to place dredge material.

MOTION was made by Lackey, seconded by Chuck, to authorize the General Manager or Designee to execute the State of Oregon Department of State Lands Royalty License for Shore-cast Dredge Spoils as provided. The motion carried unanimously in a voice vote.

Approval of Grant Funds for Rogue Seawall Project. Burke introduced the agenda item. Brown reported during the last legislative session, the state approved \$1.14 million grant funds for repair of the seawall. He noted they didn't require any matching funds, but he estimates 20 percent of the project will be paid by the Port. He stated the Port has the funds to do that. He added the seawall is in need of repair, otherwise, it will fail causing structural damage to that building, which would cost significantly more to fix. Miranda added staff and the consultant are in the middle of working on the permit. She noted the work would be between November and February. She stated once the Port has the permit, the Port can go out for bid for the actual work. She explained at that point, the Port will know the ticket price, and the grant funds may cover the entire amount.

Chuck asked once the seawall is repaired, will there be an engineering report to make sure the tenants don't overload the capacity. He emphasized the Port does not want to have new construction that will increase the weight load. Miranda replied once the work is done, the Port can let them know what they can and cannot do.

Sylvia asked staff for clarification on the grant match. Miranda explained when she talked to Representative Gombert, who brought this to the Legislature, she gave him a list of projects and the Port's budget. She noted she did not realize these funds would not require a match. Brown explained the Port may have to contribute funds, rather than match them.

Lackey asked if Rogue's equipment's weight and location are documented. He asked if there is anything in the lease about what they can put and where. Miranda replied the lease has no restrictions, but no one wants the liability. She noted there has been an understanding of taking weight into consideration for the equipment. She stated once this repair is done, it would be good to have a Memorandum of Understanding. She added there is language about condemning a building, so as the landlord, the Port can condemn it if the structure becomes weak.

Lackey recommended for the future lease renewal, negotiating some specificity. Miranda replied the Commission would discuss that at that point. She added she may be coming back to Commission with a sublease for Rogue regarding a wastewater management company's use of the property.

Burke asked when the lease is up for renewal. Tucker replied the warehouse lease renewal is 2027.

MOTION was made by Chuck, seconded by Lackey, to authorize the General Manager or Designee enter into a grant agreement with the State of Oregon in the amount of \$1,140,000 for Rogue Seawall repairs. The motion carried unanimously in a voice vote.

NEW BUSINESS

Approval of Additional Sediment Sampling for Dredging. Burke introduced the agenda item. Miranda reported the sampling is an Army Corps requirement. She explained testing is required every five to 10 years depending on depths. She noted NIT had testing a little more than five years ago, and NOAA has been more frequent. She stated South Beach has had 20 plus years since it has been dredged, so they need additional sampling. She added the sampling will be needed for everywhere except NOAA. Burke confirmed with staff this testing will be good for five years.

MOTION was made by Lackey, seconded by Sylvia, to authorize the General Manager or Designee to contract with Advanced Remediation Technologies for sediment sampling to support dredge permits not to exceed \$33,095, which includes a 10% contingency. The motion carried unanimously in a voice vote.

Approval of Electrical Improvements Old Cherry Plant Building. Burke introduced the agenda item. Miranda reported Bretz had explained before those repairs would be needed, but he thought it would stay under \$10,000. She noted it ended up costing more. She stated she talked with Doug's Electric and told them not to do this kind of work without a PO in the future. She indicated the work was done and it was needed, and she is requesting approval to make the payment to Doug's Electric.

Chuck asked if the buildings are in good enough shape for improvements. He noted the Port talked about demolishing buildings a few years ago. Miranda replied this building is good, but the Port is talking about removing a different building on the site and has restricted access to that one. Burke added the tenants will help pay for these improvements (through the rent).

MOTION was made by Chuck, seconded by Lackey, to authorize the General Manager or Designee to pay Doug's Electric for high voltage work at the former Cherry Plant in an amount not to exceed \$12,089.00. The motion carried unanimously in a voice vote.

Approval of Resolution 2022-06 Regarding Memorial Policy. Burke introduced the agenda item. Miranda reported she recently received a request from Heather Mann to possibly put something into the new Administration Building for David Jincks, a former commissioner who passed away. She explained as staff talked about this, they realized the Port doesn't have a memorial policy. She stated she wanted to make it real clear why and how memorials are done. She noted she did some research and developed this policy that establishes the purpose, procedures, and other criteria. She indicated another thing that was needed was a policy for the Fishermen Memorial Walkway. She added she will probably come back with an official request from Mann.

Chuck asked if the Port has a list of memorials on Port property. Miranda replied she does not know, but it is a good idea to make a list and keep track of age and maintenance. Chuck noted a plaque in South Beach, and in the past memorials were done in an ad hoc way.

MOTION was made by Chuck, seconded by Retherford, to approve Resolution 2022-06, a resolution authorizing the Port of Newport to create a Memorial Policy. The motion carried unanimously in a voice vote.

Cover for Fillet Tables. Burke introduced the agenda item. Miranda suggested a motion to approve the General Manager and staff negotiate with the folks donating this and approve it as long as it serves the Port. Lackey stated he is in favor of the cover.

MOTION was made by Chuck, seconded by Lackey, to authorize the General Manager, or designee, to negotiate plans and approve the building of a cover for the South Beach fillet tables

with material and labor to be donated, no exclusive uses implied, and a possible dedication. The motion carried unanimously in a voice vote. Miranda added the state recommends covering for tables.

STAFF REPORTS

General Manager. Miranda reported this has been a very challenging month for staff, especially with the shortage of staff. She stated one week the Port had to send out a notification because staff was down to one person for NIT and Commercial. She noted the Port has three or four positions open. She explained staff have been discussing rearranging the Harbormaster positions, and it may be more efficient to go to one Harbormaster, have two Assistant Harbormasters for each site, and hire more maintenance staff. She indicated right now staff are rewriting those job descriptions.

Miranda reported the Port opened the Wharfinger position. She stated once the Port gets that person, the Port can start focusing more on arranging the moorage assignments. Burke stated he is in favor using staff across the Port. Miranda stated cross training has been used quite a lot in order to make things work. She indicated the staff like it, and they learn more skills. She added it has worked well, and the Port will continue that rotation as much as possible.

Burke noted Bretz could use help with project management. Miranda replied with one Harbormaster he could spread the work and focus on projects, while management of staff would be less. Sylvia confirmed with staff the Harbormaster would supervise the Assistant Harbormasters. Miranda added the Harbormaster could be in the Admin Building. Burke asked how the tiers would work. Miranda replied the Harbormaster would be a slightly higher tier, NIT and NOAA Directors would stay the same, and the Assistant Harbormasters would be lower.

Miranda reported the Port is in the middle of the transition with its reservation system. She noted the Port has gotten a lot of complaints, and it did not go as smooth as expected. Brown stated mid-August the system should be working. Miranda stated the Admin Building is moving along. She noted there has been a couple of unexpected change orders, but the Port is still on budget. She indicated she expects it to be finished mid-December. She added the contractor stated they would try to finish in time for the Port to have a Christmas party at the building.

Miranda reported channel dredging of the Commercial Marina is moving along and should be finalized next year. She noted the RFQ for PD7 planning should be ready for the next meeting. She explained staff completed the RORO Dock RFQ and is doing some interviews now. She stated that will probably come to Commission in August too. She indicated the evaluation for PD5, regarding the recent vessel sinking, found the dock fixable and will probably cost \$15,000. She added staff will bring that to Commission, although it will be paid by insurance. Burke confirmed with staff that the Port will hire out that work.

Miranda reported staff are discussing securing the Commercial areas and NIT. She noted there is vandalism and stealing, and sometimes people dumpster dive. She stated most ports do have security fences. She indicated she asked Bretz to come up with a layout for fencing that can be discussed with the Commercial Fishing Users Group. She added once everyone is on board, the Port can apply for a grant.

Miranda reported she had a discussion with the longshoremen and the potential log company, and the longshore's opinion is the barge they have is anti-union. She noted the company is still looking for other alternatives, and they haven't given up. She added she hopes the Port gets its own equipment in the fall. Burke asked when the grant would be announced. Miranda replied

mid-to late September. She stated the Port does not want to take sides. She added the Port wants business, but also wants to keep its partnership.

Lackey asked if 2022 is getting less likely to have something happen. Miranda replied the company is still trying, but it is less likely. Lackey confirmed with staff if something were to gain momentum, there would be discussion with commercial fishing users.

Miranda reported the City of Newport has started parking advisory committee meetings, and Bretz is the representative for the Port. Regarding the South Beach parking, she noted staff have started putting signs up in South Beach, and notices will go to moorage holders and tenants. She indicated staff are trying to establish an implementation date of September 1. She stated notices will go out sooner than that. She added staff will also send letters to RV park tenants related to the trailers. She explained initially there will be warnings, then tickets.

Chuck noted in the past, a commissioner served on the City's parking committee. He asked if these meetings have anything to do with the parking district formed in the past, in which the Port contributed money. Miranda replied she is not sure, but she will look into it. Chuck emphasized the importance of finding out where that money went. He asked if the city knows the Port is charging for parking in South Beach. Miranda replied she has talked to the City Manager. She added the marina has 600 slips and a little more than 200 parking spaces, which drives the need for carpooling. Sylvia asked if the problem is folks not being used to paying for parking or the shortage of parking overall. Miranda replied it is both.

Miranda reported the SDAO Summer Conference is September 15 in Salem. She noted there is a SDAO training in Newport in August. She indicated OPPA will have the annual conference in Waldport at the Port of Alsea on September 29 and 30. She added the first Wild Seafood Cookoff was Saturday. She thanked Chuck for being a judge. She explained the event was sold out and a success. She praised Jim Myers' efforts.

Chuck requested more details on the new person from TCB. Miranda replied Bretz will provide a list of procedures next week.

COMMISSIONER REPORTS

Chuck stated attended he attended the Fishermen's Wives Dinner and the Cookoff. He noted in talking with South Beach users, there was confusion about rules, and the Marina Store has been fielding a lot of questions. He suggested they have a sign or something similar indicating they are separate from the Port. Miranda replied she would work out with Craven the best message. She added the letter should address a lot of things.

Chuck stated last week close to half of the people using the Recreational Marina were Charters. He noted it would be nice to get that worked out because when they are conducting business, they are blocking traffic. Miranda explained some Charters don't have their license and aren't following the rules. She noted staff can talk to the Coast Guard. Chuck suggested changing the MLA language. Miranda replied she would look into that. Burke confirmed with staff that TCB could be used to help as well. Miranda added staff are discussing changing part of the policy, so people get warnings and then are excluded.

Sylvia asked Chuck for clarification on the Charter issue. Chuck replied while Charters are conducting business, they are creating liability on Port property. Miranda explained they need to have licenses and the proper insurance, so that the liability is covered for the Port. Sylvia asked if that includes smaller guide boats. Miranda replied anyone who is charging for service needs a permit. Brown added they are required to have permits from the state as well.

Lackey noted so far inflation and gas prices have not been affecting use of the Port. He asked if that is still the case. Brown replied the RV Park is booked through the end of September, going into October, and there are 80 voicemails of people wanting to book. Miranda added she gets calls from people asking if there is space. Lackey asked if there has been a change on the Commercial side. Brown replied he has not seen changes. Miranda replied she doesn't know how it is affecting fishermen, but the Port would find that out later if people started selling their boats. Brown stated Bretz has told him that moorage is a small part of their operations. Miranda added talking to Manager Don Moon, that NIT is busy too.

PUBLIC COMMENT

Craven, owner of the Newport Marina Store, stated she needs information on what to tell people about parking. She noted she would like to work with Miranda on a parking pass for customers. Miranda recommended Craven give her a call and talk about her needs. She added the Port is treating all the Charters the same.

Sorensen asked if the cover is a go. Miranda replied either she or Kody will give him a call. Sorensen noted there's talk in the RV Park that the Port is talking about doing away with long-term stays, and a lot of people are concerned about that. He indicated the Coast Guard does not enforce anything with Charter boats. He added the expansion of Rogue took much of the parking. He suggested the money made by the RV Park go back into South Beach rather than the General Fund. Brown replied he can walk through the financials with him.

Craven added it has been frustrating with the parking. She recommended putting information on Facebook and on the website about parking and dry camping. Miranda replied staff are not there yet, and she does not want to put information out there that is false. She added as soon as the Port has the information ready, staff will make sure Craven is one of the first people to get it.

ADJOURNMENT

Having no further business, the meeting adjourned at 7:38 p.m.



James Burke, President



Walter Chuck, Secretary/Treasurer