

PORT OF NEWPORT
MINUTES
August 24, 2010
Combined Work Session and Regular Meeting

I. CALL TO ORDER

Commission President Ginny Goblirsch called the combined work session and regular meeting of the Port of Newport Board of Commissioners to order at 6:00 p.m. in the Yaquina Bay Yacht Club Clubhouse, 750 SE Bay Blvd., Newport, OR, the same being within the boundaries of the Port District.

Commissioners Present: Ginny Goblirsch, President; Dean Fleck, Vice-President; JoAnn Barton, Secretary; Don Mathews, Treasurer; David Jincks, Assistant Secretary-Treasurer.

Port of Newport Management and Staff: Don Mann, General Manager; Patti Britton, Director of Finance; Pete Dale, Project Manager; Maureen Keeler, Special Projects Manager; Barb Martin, Accounts Receivable; Patty Benjamin, Administrative Assistant.

Others Present: Brad Barcroft and Mark Reusser, Andersen-WCC; Frank Berg and Joshua Dodson, Day CPM Services; Haley Fish, Talbot, Korvola & Warwick; Yale Fogarty, Pat Ruddiman, and Rod Worman, ILWU Local 53; Lee Fries, CM/GC Selection Committee; Kiera Morgan, KYTE/KNPT; Dave Morgan, NewsLincolnCounty.Com; Patricia Patrick-Joling; Newport City Council; Dr. Hal Pritchett, Facility Use & Design and Terminal Steering Committees.

II. ELECTION OF OFFICERS

Commissioner Jincks moved, Barton seconded, to appoint the following slate of officers for 2010-2011:

Ginny Goblirsch – President
JoAnn Barton – Vice-President
David Jincks – Secretary
Don Mathews – Treasurer
Dean Fleck – Asst. Secretary-Treasurer

By way of discussion, Commissioner Jincks said that when he was elected to the commission he felt a succession and rotation of officers would be good; however, Goblirsch had done an excellent job as Commission President and it would be important to the NOAA MOC-P and Terminal Renovation projects for her to continue in that office. Commissioners Barton and Mathews agreed that Goblirsch had served with distinction and that continuity would be important to the Port, the Commission, and the Port's projects. Goblirsch said she would be willing to serve as Commission President for another term, and added that the position of Secretary should be held by someone who was available to sign project paperwork as needed during the day. Commissioner Jincks agreed to serve in that position. A vote was taken and the motion passed 4-0.

Commissioner Fleck arrived at 6:05 p.m.

III. MINUTES

A. Work Session and Regular Meeting—July 27, 2010

Commissioner Jincks moved, Mathews seconded, to approve the minutes of the Work Session and Regular Meeting of July 27, 2010 as submitted. The motion passed 5-0.

IV. FINANCIAL STATEMENTS

- A. Financial Reports.
B. Accounts Paid.

There were no questions on the Finance Director's written report, the Financial Reports, or Accounts Paid.

Commissioner Barton moved to approve the Financial Statements and Accounts Paid, Check Nos. 11415-11426/Construction Fund; Check Nos. 11232-11253/NOAA Checking-OCB; Check Nos. 30424-30523/Operating Account. Commissioner Jincks seconded the motion and it passed 5-0.

Finance Director Patti Britton introduced Haley Fish, who is the lead for the audit team from Talbot, Korvola & Warwick, as they complete their last week of field work.

Commission President Goblirsch noted that she had been very pleased with the July financial reports.

V. PUBLIC COMMENT

There was no public comment.

VI. STAFF REPORTS (* Indicates no questions or additional comments.)

A. Department Reports.

- Kevin Bryant, Commercial Marina Harbormaster*
- Pete Dale, Project Manager*
- Maureen Keeler, Special Projects Manager*
- Gina Nielsen, RV-Marina Office Supervisor*
- Ron Smith, Terminal Manager*
- Chris Urbach, South Beach Marina Harbormaster—Commissioner Fleck complimented Urbach on how well the summer halibut opener had gone. He said the new program of pre-selling launch passes and providing rides to and from fishermen's cars if they were parked far away worked very well and he had not heard a single negative comment about the very busy weekend.

B. General Manager.

General Manager Don Mann had nothing to add to his written report.

In answer to a question from Commissioner Goblirsch, Mann said that none of the freezer units had been removed from the terminal area in response to the notices mailed on July 28, 2010. Mann said a second notice would be sent out because power to the units would be cut off on September 24, 2010. Project Manager Pete Dale said that date was critical to putting the new Port buildings online. Mann said the Port would work with the fishermen to get it done.

Mann had been invited to speak about the NOAA Homeport Project at a Coasts and Marine Infrastructure USA conference that will be held December 7-8, 2010 in Miami, Florida. Mann said he would wait until he sees a conference agenda before making a decision about whether or not to attend. He said he would not plan to go if it did not appear that the conference would be beneficial to the Port.

The General Manager said he had a call from John Stevenson, Research Analyst for Ecotrust, the project lead on the Shoreside Economic Analysis and Model for the Territorial Sea Plan study. A series of focus group meetings will be held, with one scheduled in Newport on September 15, 2010. The Newport meeting will be held at the Marina and RV Park activities room. Commissioner Fleck will attend as an industry participant. After a brief discussion, the commission asked the General Manager to attend as a representative from the Port, in an information only capacity.

C. Commissioners' Reports.

Commissioner Barton said she, Don Mann, and Pete Dale had attended a meeting that afternoon with representatives from the Oregon Coast Aquarium and Hatfield Marine Science Center. Questions were asked and answered, particularly about the upcoming in-water pier work. Barton emphasized the need for the Port to stay closely involved with its neighbors on the South Beach Peninsula, perhaps scheduling quarterly meetings to allow a flow of information about the NOAA MOC-P Project. Barton had also attended the NOAA team meeting the previous week.

Commissioner Fleck said he had been working on the U-DA-MAN fishing tournament, which will be held on October 9-10, 2010, at the South Beach Marina. He said the old launch ramp would not be used due to liability concerns but he and South Beach Harbormaster Chris Urbach had organized the launch so that it should move smoothly. In answer to a question from the Chair, Fleck said he is staying involved with the South Beach Peninsula Transportation Refinement Plan.

Commissioner Mathews said he had been working.

Commissioner Jincks said that he and General Manager Mann had been involved in a couple of meetings and an Open House related to the South Beach Peninsula Transportation Refinement Plan. He was also continuing his work with the NOAA/NMFS Pacific Fisheries Management Council.

Commissioner Goblirsch said she had attended Port project meetings.

VII. OLD BUSINESS

A. Terminal Renovation Project—Day CPM Services. Frank Berg, Day CPM, displayed the final rendering of the International Terminal Renovation Project on a screen. The rendering incorporated three phases of construction and was high resolution, allowing for "zooming in" on sections of the area displayed. Berg pointed out various buildings, the Hennebique, and portions of the multi-purpose dock. A discussion followed about the effects vibroflotation and driving the piling might have on the Pasley, and whether it would cause it to move. Berg said the CM/GC Natt McDougall Company

(NMC) would set survey points on the Pasley and monitor it carefully, stabilizing it with each step. He said there was a certain level of risk involved but noted NMC's excellent safety record, and said the plan NMC provided in December was very articulate and prudent. Berg presented two GMP amendments as action items. GMP Amendment No. 3 covered initial mobilization, support, early demolition, erosion control, and the set up package, in the amount of \$1,513,052.31 including \$100,000 contingency. GMP Amendment No. 4 covered setting the permanent bulkhead wall landside of the Pasley using port owned sheet pile, and included the test pile program and monitoring the Pasley, in the amount of \$287,385.37 including a \$25,000 contingency.

Commissioner Barton moved that the Commission approve, adopt, and execute the GMP Amendments Nos. 3 and 4 as described. Commissioner Jincks seconded the motion and it passed 5-0.

Berg said additional contingency savings in the project would come from re-using the sheet pile in Phase 2, and NMC is working on an agreement with the sheet pile supplier to buy back undamaged sheet pile. He said the project would mobilize after the first of September and permits are expected by the end of October. Berg and Mann continue to work with the consulting firm, DCI Objectives, on fund raising for the next two phases of the project. An agency meeting and site tour is scheduled for September 2, 2010. After the construction schedule is completed and traffic flow and perimeters are developed for the construction phase, a tenant and stakeholders meeting will be scheduled.

B. NOAA MOC-P—Day CPM Services. Joshua Dodson, Day CPM, reported that the NOAA Homeport Project was on schedule and tracking. He said he had been working with NOAA to see if they actually need to have four berths completed at the end of April 2011 instead of in July 2011. The possibility of completing the berths early had been part of the Port's offer to NOAA, part of the original master schedule, and part of the lease agreement, but Dodson said if NOAA doesn't need the early berths he would like to relieve the project of that requirement and complete everything in July 2011. Dodson spoke briefly about addressing comments received from the agencies on the Port's permit application and also about the meeting that had been held that day with representatives from the Oregon Coast Aquarium and Hatfield Marine Science Center. Dodson then projected some budget items on a screen, followed by photos of the NOAA MOC-P Project and the eelgrass harvest. Brad Barcroft, Andersen Construction, said they expected to have the roofs on both the administration office and the warehouse by the end of September or first of October.

C. Old Launch Ramp South Beach Marina, Mitigation Proposal. General Manager Don Mann led the discussion about mitigation alternatives for the old launch ramp at the South Beach marina. The original plan when the new launch ramp was built was to eliminate the old ramp to satisfy the Department of State Lands' (DSL's) mitigation requirements; however, the old launch ramp has remained and is sometimes used for special fishing events. Referring the commission to copies of the price breakdowns of three mitigation alternatives that had been prepared by Project Manager Pete Dale, Mann said it was his recommendation to go back to the original mitigation idea and eliminate the old ramp. A discussion followed about the options for mitigation, including an in-lieu payment to DSL, and the cost of repairing the deteriorating ramp and maintaining it going forward if the Port decides to keep it. Mann said that completing the initial mitigation by removing the old ramp could be looked upon as the first phase for new improvements that would be eligible for funding by the Oregon State Marine Board. Commissioner Jincks asked about the height of the rip-rap and Commissioner Barton asked if all of the concrete would be pulled out. Commissioner Mathews said he would like to see elevation sketches of Alternatives 1 and 2. The cost of the initial mitigation plan was conservatively estimated at \$41,500. Mann recommended moving forward with that plan, closing off the ramp, and removing it. He suggested using the \$15,000 that had been budgeted for upgrading and keeping the old ramp, plus funds from the maintenance reserve fund and additional funds from maintenance and repairs to execute the plan. Mann said it was his understanding that the initial mitigation plan would not require an in-water work window; would not require a new permit; and would not require involvement by other agencies; however, he said he would double-check on those requirements. He added that a decision would be due at DSL by the end of August. After more discussion about possible cost savings by combining Alternatives 1 and 2, the Chair called for a vote.

Commissioner Jincks moved that the Port move forward with the Initial Mitigation Plan as presented, including the budget as proposed. Commissioner Barton seconded the motion and it passed 5-0.

The General Manager assured the Commission that any cost savings would be passed on to additional work at the ramp site.

VIII. NEW BUSINESS

A. Fishermen's Parking Port Dock 5. General Manager Don Mann reported on a telephone call and letter he had received from Dan Hiner, who owns the property between the Local Ocean restaurant and the Maritime Museum that the Port currently leases for fishermen's parking. The street level property actually goes with four tax lots on the hill that are for sale. The Port had placed an ordinance sign on the property that is used for parking so that the city could patrol the area and ticket vehicles that are parked there without a Port-issued parking permit. Mr. Hiner asked that the ordinance sign be removed and that the property be opened to general parking. Mann said he would have a further

conversation with Mr. Hiner and Commissioner Jincks asked to be included in that conversation. Jincks noted that the Port and the fishermen have been "living on borrowed time" when it comes to parking and that plans will have to move forward to provide an access point from the Port Dock 7 area to Port Dock 5 in the future. Mann noted that this was not a new topic and he recalled it being discussed at the first Port meeting he attended in December of 1995. Commissioner Fleck asked Mann to keep the Commission apprised on the parking issue.

IX. MEETING RECESS at discretion of the chair.

There was no meeting recess.

X. OTHER

The commissioners will meet at the Port office at 1:00 p.m. on Friday, September 3, 2010 for a dock walk of Port Dock 7, Port Dock 5, and South Beach. The dock walk will be for informational purposes only.

XI. PUBLIC COMMENT

There was no public comment.

XII. UPCOMING MEETINGS

- A. Labor Day, September 6, Port Office Closed
- B. Fishermen's Forum, Port Conference Room, September 8, 8:30-9L30 a.m.
- C. South Beach Peninsula Transportation Refinement Plan
 - 1. Stakeholder Meeting, HMSC, USFW Conference Room, August 30, 3:00 p.m.
 - 2. Open House, OCCC Community Room, September 9, 6:30 p.m.
- D. Newport Wild Seafood Weekend, Port Dock 7 Parking Lot, September 11-12
- E. Port Commission Work Session and Regular meeting, YBYC Clubhouse, September 28, 6:00 p.m.

XIII. ADJOURNMENT

There being nothing more to come before the Board of Commissioners, the meeting adjourned at 7:25 p.m.

ATTEST:

Ginny Goblirsch, President

Dean Fleck, Asst. Secretary-Treasurer

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