PORT OF NEWPORT MINUTES

January 26, 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.

<u>Commissioners Present:</u> Ginny Goblirsch, President; Dean Fleck, Vice-President; David Jincks, Assistant Secretary-Treasurer.

Commissioner Excused: JoAnn Barton, Secretary; Don Mathews, Treasurer.

<u>Port of Newport Management and Staff:</u> Don Mann, General Manager; Patti Britton, Director of Finance; Pete Dale, Project Manager; Kent Gibson, Port Operations; Maureen Keeler, Special Projects Manager; Gina Nielsen, Marina Office Supervisor; and Patty Benjamin, Administrative Assistant.

Others Present: Frank Berg, Joshua Dodson, and Glenn Schnaidt, Day CPM Services;; Yale Fogarty and Pat Ruddiman, ILWU Local 53; Lee Fries, CM/GC Selection Committee; Phil Jackson and Adam Johnson, USCG Station Yaquina Bay; Dr. Hal Pritchett, Facility Use & Design and Terminal Steering Committees; Mark Reusser, Andersen-WCC; Tommie Rutherford and Mike Schmid, KPFF Consulting Engineers; Jim Shaw, South Beach resident; Grant Snyder, Wiggins Towboat; Derrick Tokos, City of Newport Community Development Director.

II. MINUTES

A. Work Session and Regular Meeting—December 22, 2009

Commissioner Jincks moved, Fleck seconded, to approve the minutes of the Work Session and Regular Meeting of December 22, 2009 as submitted. Motion passed 3-0.

III. FINANCIAL STATEMENTS

A. <u>Financial Reports.</u> Finance Director Patti Britton asked for questions or comments on her written report, the financial statements, and accounts paid. There were none.

B. Accounts Paid.

Commissioner Jincks moved to approve the Financial Statements and Accounts Paid, Check Nos. 11100-11108/NOAA Checking-OCB, Check Nos. 11339-11347/Construction Fund, and Check Nos. 29674-29754/Operating Account. Commissioner Fleck seconded the motion and it passed 3-0.

IV. PUBLIC COMMENT

There was no public comment.

V. <u>STAFF REPORTS</u> (* Indicates no questions or additional comments.)

A. <u>Department Reports.</u>

- 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 noted Urbach's reference to the old launch ramp at South Beach, and the need to "make a plan" before summer. General Manager Don Mann and Kirk Jarvie, Department of State Lands, would be attending a meeting in South Beach on Thursday, January 28, 2010, and that

might be a good opportunity to talk with him about the old launch ramp. Commissioner Fleck asked Mann to give him a call and he would sit in on the discussion with Jarvie.

B. General Manager.

The General Manager provided updates on the following topics and projects.

<u>F/V Helen McColl:</u> Recent attempts to reach the vessel's owner had failed and it was reported that he no longer lives at his residence. In keeping with the Port's ordinance, a 15-day notice had been sent to the last known address declaring the vessel abandoned. Three estimates have been received for removal of the vessel, the lowest being \$52,300. Mann said he would contact the Department of State Lands and the Oregon State Marine Board about financial assistance that they might be able to provide. However, that assistance would not cover the full amount of raising the boat so the Port is also proceeding with legal action to get a judgment against the owner's real property. The Port will also attempt to acquire the boat's salmon permit. Mann acknowledged that it could be years before the Port would see a return on a judgment. In answer to a question from Commissioner Fleck, Mann said there was nothing of value on the boat, and in answer to a question from Commissioner Jincks, he said the estimated recovery price included disposal. He added that the vessel is monitored regularly and there does not appear to be any oil or fuel currently leaking from the boat.

<u>Terminal Facility Marketing Analysis Plan:</u> Mann was working on a draft Statement of Qualifications. He said he would refine it over the next few days before passing it on to Commissioner Barton and Fleck, who are assigned to the ad hoc committee, for review. One or two members of the public would then be identified to serve on the committee and a final scope of work would be produced. After that, a search would be conducted for consultants to interview about doing an independent marketing analysis on the cargo dock. Mann said there was funding available through the Port Planning and Marketing Fund for that purpose. He predicted a five or six month process.

Newport Fishermen's Wives Wild Seafood Weekend: Mann reported that there had been a couple of meetings with the Newport Fishermen's Wives since the last regular commission meeting. Project Manager Pete Dale had found a good drawing to use for laying out the event area, Harbormaster Kevin Bryant would try to keep the east end of the pavement by the restrooms relatively open as crab pots are brought in, reserving as much space as possible for the event.

<u>Port Administration Office Building Project:</u> The General Manager had a copy of the floor plan for the Yaquina Bay Yacht Club, and asked Commissioner Jincks to set aside some time to look at it as a starting point in developing an actual footprint for the Port project.

<u>Proof of Insurance Requirements for Vessels Using Port of Newport Moorage Facilities:</u> As a result of F/V Helen McColl sinking at her berth, the Port had begun an inventory of vessels that could be borderline or in jeopardy of sinking, with a view towards establishing a firm policy of requiring proof of insurance. A meeting had been held between Mann, Finance Director Patti Britton, and the Port's insurance agent about the types of coverage these vessels might have and what special requirements the Port might eventually bring into effect for moorage tenants on both the north and south sides.

C. <u>Commissioners' Reports.</u>

Commissioner Fleck Thursday reported that he had been appointed to the Marine Reserve Community Team for the Cascade Head Region. He said he would provide updates on the process at upcoming commission meetings and offered to come early or stay after the meetings if anyone had questions. He had also been working with the Salty Dawg group in organizing their annual convention to be held at South Beach in early March, and with the Oregon Tuna Classic which will be held this summer.

Commission President Goblirsch moved New Business forward on the agenda for the convenience of the presenters.

VI. <u>NEW BUSINESS</u>

A. <u>South Beach Peninsula Transportation Refinement Plan—Derrick Tokos, City Community Development Director.</u> General Manager Mann introduced Derrick Tokos, City Community Development Director, who used a PowerPoint presentation to provide an update

on the Transportation Refinement Plan. The draft plan was the work of a consulting team and the purpose was to work with area stakeholders and the general public to design a series of vehicular, bicycle, and pedestrian improvements that would improve the overall access and efficiency of the South Beach peninsula area. Tokos said the planning process had been relatively short, starting in early November. Part of the impetus for the plan was the imminent arrival of NOAA's Marine Operations Center-Pacific and the proposed expansion of the Hatfield Marine Science Center (HMSC). The plan focuses on access, signage, safety, and street and bicycle path improvements to the area. Tokos' presentation showed proposed improvements and changes to Marine Science Drive and Pacific Way; Ferry Slip Road; Abalone and 25th Streets; a multi-use path that would connect to the stairs at the Yaguina Bay bridge; and a roundabout or four-way stop at the entrance to HMSC. The conservative cost estimate for the overall total project stood at \$4.3 million, although Tokos said there might be a cost savings in completing the project in two phases. Funding would come from the Urban Renewal District's bonding capacity, partnering with other agencies, state funding, and leveraging existing increment revenue to bond. Tokos had made the same presentation to the Newport City Council the night before and was given direction to refine the plan and take a more specific package back to the council in February or March. He said the next step would be to meet with the Oregon Department of Transportation (ODOT) and the Oregon Business Development Department (OBDD) to map out a strategy. Commission President Goblirsch suggested that Tokos share the plan with LTjg Andrew Colgrove, NOAA Marine Operations Center-Pacific, when he moves to the area in March.

B. <u>Coast Guard Station Yaquina Bay—Commanding Officer Phil Jackson.</u> The General Manager introduced Commanding Officer Phil Jackson and Operations officer Adam Johnson, USCG/Yaquina Bay Station. Mr. Jackson had assumed command of the station eight months ago. He said the station's mission was the safety of commercial and recreational boats and the environmental safety of the bay. He explained the changes in restricted navigation areas for recreational boats and new life jacket requirements for both recreational and commercial vessels. He introduced Operations Officer Adam Johnson, who elaborated on those changes. Johnson explained the process and chain of command in restricting the bar or closing the port, and went on to explain that the legal definition of the Yaquina Bay bar is from the bridge to the entrance buoy. General Manager Mann thanked Jackson and Johnson for their presentation and invited them to attend future commission meetings.

VII. OLD BUSINESS

A. <u>Terminal Renovation—Day CPM Services.</u> Joshua Dodson, Day CPM, introduced Frank Berg and Glenn Schnaidt from Day CPM, and Mike Schmid and Tommie Rutherford from KPFF Consulting Engineers, who would provide an update on the terminal project. Dodson said a lot of information was being gathered, even up to the point of the meeting that evening, and no decisions or even input was being solicited from the commission at that time. He said the engineers had put together three options but it was undetermined at that early state whether any of the options would fit within the \$12.5 million available for Phase 1 of the project. Dodson said the big task would be finding an alternative to fit the work scope and budget, in order to get a permit to start the work in the 2010 in-water work window.

Frank Berg, Day CPM, reported on the peer review of Natt McDougal Company's (NMC) demolition plan and estimate. He said the companies that conducted the peer review found the plan very comprehensive, complete, and viable. Natt McDougall had chaired a meeting with the team on January 19, 2010 to answer comments and questions, and is now working on a plan for remediation and removal of the Hennebique. In reviewing the master schedule, Berg said the target for submitting the Joint Permit Application (JPA) was April, so the Port would need a solid plan that the agencies would accept and permit before then.

Mike Schmnid used PowerPoint to show drawings of the three alternatives KPFF Consulting Engineers had produced, based on the Port's direction. All three alternatives would include fully remediating the Hennebique during Phase 1. The first alternative was a 40% design similar to one that had been considered a month before. That alternative showed an elevated dock in place of the Pasley, which would be remediated and removed during Phase 1. That design would leave a cargo dock 290 feet in length, a fishing dock 320 feet long, and a gap between the two. The gap would be closed in Phase 2 of the project. The second alternative was similar to the first, including remediation and removal of the Pasley, but the gap would be closed by removing the upper portion of the Hennebique's bow, building a bulkhead wall, and filling in behind that wall to create a vertical base for the cargo dock. The third alternative would include remediating and removing the Pasley, remediating the Hennebique and removing her bow and stern, and then surrounding the water side of the Hennebique with a sheet pile bulkhead wall

and filling the hull to create a working surface over the top. A pile-supported concrete dock would be built at the stern to finish the project, ultimately resulting in a 475 foot cargo dock. Joshua Dodson, Day CPM, reiterated that the project team was working to determine the costs of the three alternatives.

Commissioner Jincks noted the amount of time that he and others were spending on the terminal project and said the ultimate goal was to have a complete dock facility in Phase 1, without the gap. He said there could be further changes, but in the not too distant future there would be enough information built into the alternatives for the commission to make a decision as to which direction to take. He said he envisioned an east and west dock, rather than a dedicated fishermen's dock and cargo dock, that would be as multi-functional as possible.

B. <u>NOAA MOC-P—Day CPM Services.</u> Joshua Dodson, Day CPM, said that the NOAA MOC-P project was progressing rapidly and going well. He said the Guaranteed Maximum Price (GMP) goal was \$28 million, but value engineering could bring the project in under that amount. He reviewed the master schedule and said he hoped to have permits in hand by September 2010. Web-cam meetings are held with NOAA every week.

Using PowerPoint photographs, Mark Reusser, Andersen-WCC, explained the work being done at the NOAA site, including test piles, demolition, excavating, and utilities. General Manager Mann said accommodations would be made at South Beach for the Thousand Flags display in the spring, in spite of ongoing construction at the NOAA site.

VIII. MEETING RECESS at discretion of the chair.

There was no meeting recess.

IX. OTHER

Commission President Goblirsch noted that a commissioner training session still needs to be scheduled. She suggested scheduling the training after the JPA has been submitted in April.

X. PUBLIC COMMENT

Yale Fogarty, ILWU Local 53, thanked Commissioner Jincks for his comments about the multiuse dock facility at the terminal.

Lee Fries, CM/GC Selection Committee, said he hoped F/V Helen McColl could be salvaged and rebuilt. He noted that the boat was nearly 100 years old and "a piece of history".

XI. UPCOMING MEETINGS

- **A.** Special Districts Association of Oregon Annual Conference, February 4-7, Seaside
- **B.** Fishermen's Forum, February 10, Port Conference Room, 8:30 a.m.-9:30 a.m.
- **C.** President's Day, February 15 (Port office closed)
- **D.** Port Commission Work Session and Regular Meeting, February 23, YBYC Clubhouse, 6:00 p.m.
- E. Pacific Northwest Waterways Association Mission to DC, February 27-March 4
- **F.** 33rd Annual Newport Seafood & Wine Festival, February 26-28

XII. ADJOURNMENT

There being nothing more to come before the Board of Commissioners, the meeting adjourned at 7:35 p.m.

ATTEST:	
Ginny Goblirsch, President	JoAnn Barton, Secretary