

**PORT OF NEWPORT
MINUTES
November 24, 2009
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; Kent Gibson, Port Operations; Maureen Keeler, Special Projects Manager; Gina Nielsen, Marina Office Supervisor; and Patty Benjamin, Administrative Assistant.

Others Present: Joshua Dodson, Day CPM; Yale Fogarty and Pat Ruddiman, ILWU Local 53; Lee Fries, CM/GC Selection Committee; Mike Goff, TCB Productions; Wayne Hoffman, Midcoast Watersheds Council and Terminal Steering Committee; Dr. Hal Pritchett, Facility Use & Design and Terminal Steering Committee; Grant Snyder, Wiggins Towboats.

II. MINUTES

- A. **Work Session and Regular Meeting—October 27, 2009**
- B. **Special Meeting—November 4, 2009**

Commissioner Barton moved, Jincks seconded, to approve the minutes of the Work Session and Regular Meeting of October 27, 2009 as corrected, and the minutes of the Special Meeting of November 4, 2009 as submitted. The motion passed 5-0.

III. FINANCIAL STATEMENTS

A. **Financial Reports.** In answer to a question from Commissioner Fleck, Finance Director Patti Britton explained an adjustment in RV Park revenue that was necessary due to a computer problem at South Beach.

- B. **Accounts Paid.**

Commissioner Jincks moved to approve the Financial Statements and Accounts Paid, Check Nos. 11324-11332/Construction Fund and Check Nos. 29462-29563/Operating Account. Commissioner Barton seconded the motion and it passed 5-0.

IV. PUBLIC COMMENT

There was no public comment.

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

A. Department Reports.

- Kevin Bryant, Commercial Marina Harbormaster*
- Pete Dale, Project Manager—Commissioner Fleck asked about the specific location of the area being developed at South Beach to store materials that the maintenance crew uses to maintain the docks.
- Maureen Keeler, Special Projects Manager—Commissioner Goblirsch asked about plans for the Port of Newport Centennial in 2010. General Manager Mann noted that 2010 is the centennial for all three Lincoln County ports and suggested planning a joint celebration in addition to local events for the Port of Newport. A work session will be scheduled in the future to plan for the centennial.
- Gina Nielsen, RV-Marina Office Supervisor*
- Ron Smith, Terminal Manager*

- Chris Urbach, South Beach Marina Harbormaster*

B. General Manager.

The General Manager noted that the work session and regular commission meeting for December fell during Christmas week and asked if the commission wanted to change the date. They did not. A discussion followed about scheduling a meeting for the commission terminal committee and terminal project team to review the cost estimate and removal plan for the Pasley, which was expected from the Natt McDougall Company (NMC) on December 15, 2009. That meeting would be followed by a meeting of the terminal steering committee to review the cost estimate and removal plan. The terminal steering committee meeting would take place prior to the regular commission meeting on December 22, 2009.

Commission President Goblirsch asked the status of F/V Helen McColl. The vessel had sunk at Port Dock 5. The General Manager said he had asked the Coast Guard for a survey report after divers had inspected the boat, and had contacted Department of State Lands and Oregon State Marine Board to see if the sunken boat would qualify for the abandoned vessel fund. Commissioner Barton asked about requiring boat owners to show proof of insurance before mooring at the port docks, and Mann said that idea would be part of the port's policy review process in the future. Mann said he would keep the commission apprised on the status of the vessel.

General Manager Mann reported that he had received a letter from the City of Newport regarding acceptable signage at South Beach. The port had been working on South Beach signage for some time and the goal was to erect two large reader boards with space for tenants' business names and logos. The port has funding for one of those signs. Many of the tenants' ground signs are not in compliance with the city's code and Mann said he would want to give the tenants at least one year's notice that the ground signs would have to be removed and replaced by the reader boards. He will continue to work with the city while completing a final design and identifying locations for the reader board signs.

C. Commissioners' Reports

Commissioner Barton said she had been attending meetings. She also urged caution when driving through the port's parking lot during the "crab push" She reported having a near miss that afternoon with an automobile and a forklift.

Commissioner Fleck had no report.

Commissioner Mathews announced that the Lighted Boat Parade would be held on Saturday, December 5, and the first meeting of the Blue Ribbon Fairgrounds Panel was scheduled for the following week.

Commissioner Jincks had been working with the North Pacific Fishery Management Council on a salmon inter-action plan for the Bering Sea.

Commission President Goblirsch said she had been attending meetings both on the terminal project and NOAA MOC-P Homeport. She said the NOAA focus had been on public transportation and the medical front lately.

VI. OLD BUSINESS

A. Terminal Renovation—Day CPM Services. Commissioner Barton asked Project Manager Joshua Dodson about a bullet under Scope Changes in KPFF's Monthly Progress Report that referred to five alternatives discussed at a multi-agency meeting in February. Dodson and the General Manager said they felt it was an old reference and a print error that should have been deleted before the report was sent out. Dodson said he would look into it.

Dodson projected a new drawing onto the screen, a design that was the result of a discussion at a terminal steering committee meeting on November 19, 2009, when KPFF Consulting Engineers' 40% construction documents were reviewed by the steering committee and port commission. The new drawing incorporated a 60-foot extension on the west side of the cargo dock, as discussed at that meeting. Dodson said the extension would take care of cargo needs through Phase 1 of the renovation and the project team was exploring the possibility of reducing 100-feet of the 1,000 pounds per square foot (psf) to 750 psf to offset the cost of the 60 foot extension. The new drawings had been forwarded to John Van Staveren, Pacific Habitat

Services, who would review them with the permitting agencies. Dodson said he had met with Kathy Tortorici, National Marine Fisheries Service, and James McMillan, US Army Corps of Engineers, that day and they had voiced no immediate objection to the plan, although Tortorici had emphasized that if the port is going to state a time line for full completion of the project, there would have to be assurance of funding for the full build out. Dodson recommended that the commission consider hiring someone whose specialty was finding funding for projects to work with the project team. Van Staveren had recommended someone and the General Manager said he would check with Van Staveren about that person. Commissioner Barton formally requested that there be more than one person considered before a decision was made. Commissioner Barton asked if there was a per linear cost estimate for building the cargo dock that would help determine if going from 1,000 psf to 750 psf would offset the cost of the additional 60 feet. Dodson said once the estimates were refined for the project, the cost estimate could be divided by the linear footage that was there.

A discussion followed about cost estimates and removal plan for the Pasley, which were expected from NMC in mid-December. Dodson said those same values would be applied to removing the Hennebique in the interim, and he would revamp the terminal budget based on that information. In answer to a question from Commissioner Barton, Dodson said if it were found going forward that the costs would be more or less, the numbers would be adjusted, but until the numbers were “nailed down” he felt that using the same values was the prudent approach. A discussion followed about the process for selecting a firm to perform the peer review on NMC’s cost estimates; what that peer review would cost; and whether the peer review could be completed by the end of the year. In answer to a question from Commissioner Barton, Dodson said the final 40% design would be brought back to the commission for approval. Mann said it was his understanding that the final design would go to the steering committee and the steering committee would make a recommendation; and then if the commission wanted to vote on it, that vote could be taken at the regular meeting in December. In answer to another question from Commissioner Barton, Dodson said contacting Titan was “on his list”.

B. NOAA MOC-P—Day CPM Services. Project Manager Joshua Dodson presented one of a series of aerial photographs of the bay, channel, and future NOAA site that Andersen Construction had taken. He said the photos would be extremely useful in preparing the biological assessment. He said that Anderson Construction was moving forward quickly, meeting every day with KPFF Consulting Engineers on the design and upland work. Andersen was expected to have the first estimate on the NOAA MOC-P Homeport project on December 1, 2009, and was putting together an early site demolition package. Dodson said the site would be prepped and ready to raze in April and at that point there would be a full Guaranteed Maximum Price (GMP) from Andersen. Meanwhile, the project team was working behind the scenes with the City of Newport and the agencies. Dodson pointed out that by using the CM/GC process, the project could move forward even without 100% documents to start. In answer to a question from Commission President Goblirsch, Dodson said the Joint Permit Application (JPA) would go in at the end of February or early March. In answer to a question from Commissioner Barton, he said there would probably be two separate biological assessments—one for the terminal renovation project and one for the NOAA MOC-P Homeport project. He said it was important that the two projects were not related in any way, other than the cumulative effects of the study results that was being done in the bay. He noted that one project was a federal program while the other was funded entirely by local taxpayers, so it was important that the projects are delineated as much as possible. In summary, Commission President Goblirsch said there were two important actions pending. The first was to identify someone to assist in finding funding for the terminal project; and the second was to get a professional legal review of the JPA and biological assessment. Dodson said he had learned that it would go far in the project’s favor to prepare a budget and post half of the funds in an escrow account in order to have an “unhindered” project.

VII. NEW BUSINESS

There was nothing under New Business.

VIII. MEETING RECESS at discretion of the chair.

There was no meeting recess.

IX. OTHER

There was nothing under Other Business.

X. PUBLIC COMMENT

Wayne Hoffman, Terminal Steering Committee, suggested polling committee members as to when they were available for meetings, since many of the committee members have other meetings on their calendars. He also suggested having introductions at the start of the meetings. Commissioner Jincks pointed out that introductions had been done in the past but many people felt the need to add comments during those introductions that were out of place. Commission President Goblirsch said she would make an effort to at least introduce the project team members at the meetings. Referring back to the discussion of F/V Helen McColl and insurance requirements, Hoffman suggested requiring proof of insurance in order moor at certain parts of the dock facility, while uninsured boats would moor at a different dock.

XI. UPCOMING MEETINGS

- A. Thanksgiving Holiday, November 26-27 (Port office closed)
- B. Lighted Boat Parade, December 5, 5:00-6:30 p.m.
- C. Fishermen's Forum, Port Conference Room, December 9, 8:30-9:30 a.m.
- D. Port Commission Work Session and Regular Meeting, YBYC Club House, December 22, 6:00 p.m.
- E. Christmas Holiday, December 25 (Port office closed)
- F. Winter Whale Watch Week, December 26-January 1

XII. ADJOURNMENT

Commission President Goblirsch adjourned the meeting at 7:20 p.m.

ATTEST:

Ginny Goblirsch, President

JoAnn Barton, Secretary

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