

**PORT OF NEWPORT**  
**MINUTES**  
**September 27, 2011**  
**Regular Meeting**

**I. CALL TO ORDER**

Commission Vice-President Ginny Goblirsch called the regular meeting of the Port of Newport Board of Commissioners to order on Tuesday, September 27, 2011 at 6:00 p.m. in the Port of Newport Conference Room, 600 SE Bay Boulevard, Newport, OR, the same being within the boundaries of the Port District.

**Commissioners Present:** Ginny Goblirsch, Vice-President; David Jincks, Secretary; Dean Fleck, Assistant Secretary-Treasurer.

**Commissioners Excused:** JoAnn Barton, President; Don Mathews, Treasurer.

**Port of Newport Management and Staff:** Don Mann, General Manager; Patti Britton, Finance Director; Richelle Burns, Accounting Department; Pete Dale, Project Manager; Kent Gibson, Operations; Maureen Keeler, Special Projects Manager; Patty Benjamin, Administrative Assistant.

**Others Present:** Bill Bain, Newport resident; Frank Berg and Rick Fuller, Day CPM Services; Lon Brusselback, Newport City Council; Yale Fogarty and Pat Ruddiman, ILWU Local 53; Lee Fries, CM/GC Selection Committee; Jim Shaw, South Beach resident; Grant Snyder, Wiggins Tug & Barge; and Derrick Tokos, City of Newport.

**II. MINUTES**

- A. **Special Work Session—August 23, 2011**
- B. **Regular Meeting—August 23, 2011**
- C. **Special Meeting—September 9, 2011**

Commissioner Jincks moved, Fleck seconded, to approve the minutes of the Special Work Session of August 23, 2011, the Regular Meeting of August 23, 2011, and the Special Meeting of September 9, 2011 as submitted. The motion passed 3-0.

**III. FINANCIAL STATEMENTS**

- A. **Financial Reports.**
- B. **Accounts Paid.**

Commissioner Fleck moved, Jincks seconded, to approve the Financial Statements and Accounts Paid, Check Nos. 11552-11554/Construction Fund; Check Nos. 11517-11541/NOAA Checking-OCB; and Check Nos. 31853-31937/Operating Account. The motion passed 3-0.

Financial Director Patti Britton had distributed a new financial report on the NOAA Lease Revenue Fund and said it would be incorporated into the commissioners' meeting packets going forward.

**IV. PUBLIC COMMENT**

Referring to a discussion about the cargo dock at the noon work session, Grant Snyder, Wiggins Tug & Barge, and Yale Fogarty, ILWU Local 53, encouraged the Port to contact representatives of Coos Bay Towboat Co. for input on the placement of bollards and dolphins and dredging depths at the new cargo dock at the Terminal. Coos Bay Towboat Co. provides the bar pilots for Yaquina Bay and Snyder and Fogarty felt those individuals could provide valuable guidance about proper fittings and accessories for the dock. General Manager Don Mann said he had spoken with Captain Charlie Yates, Coos Bay Towboat Co., the week before and asked him to come up and see the project as it moves closer to the next phase of construction. Commissioner Jincks said it would be important to review the final stage of the dock construction so that nothing was missed, and price things out sooner than later. Fogarty was to contact the General Manager about meeting with Natt McDougall, NMC, and Frank Berg, Day CPM, at the weekly project meeting on Thursday, September 29, 2011.

**V. STAFF REPORTS (\* Indicates no questions or 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\*

**B. General Manager.**

Police Chief Mark Miranda and City Librarian Ted Smith had requested time on the agenda of the August 23, 2011 regular meeting to address concerns about the deterioration of the “sea lion dock” at Port Dock 1. After some discussion at that meeting, the General Manager was asked to form a small committee to investigate regulations regarding sea lions, which are protected under the Marine Mammal Protection Act, and explore whether another area might be a feasible and healthy alternative for them. As a follow up, the General Manager listed the people he intended to contact about serving on that committee. They included members of the public, marine mammal experts, bayfront business owners, and two Port commissioners. After a brief discussion, the Commission recommended that Mann contact National Marine Fisheries Service before meeting with the proposed committee, to find out if providing docks for sea lions was a violation of the Marine Mammal Protection Act. Commissioner Jincks further suggested that if the City wanted the sea lions on docks, they might look into building docks for them at the Abbey Street Pier, since the Port-owned docks that the sea lions took over were valuable for moorage. The General Manager said he would make a call to the agency.

**C. Commissioners’ Reports.**

Commissioner Fleck reported that the U-DA-MAN fishing tournament would launch from the South Beach Marina on October 9, 2011. Proceeds from the event benefit Yaquina Bay salmon stocks.

**VI. OLD BUSINESS**

**A. Terminal Renovation**

Frank Berg, Day CPM Project Manager, showed a series of photographs of work that had been done on the SS Pasley and SS Hennebique over the past month. He reported that the dead-man anchors had been installed to tie off the Pasley and the ship had floated for the first time in more than sixty years. Using crushers and shears, demolition had started immediately after that and Berg said the upper section of the ship would be completely demolished by the end of the month. Berg said the Pasley was 60% steel and 40% concrete and the steel would be salvaged and sold. Monitoring continues on both the Pasley and Hennebique. Materials have been removed from the engine room and holds 2, 5, and 0 of the Hennebique and those areas have been cleaned and filled with dredged sand. A total of 4,279 tons of contaminated material has been removed from the ships and hauled to the Coffin Butte landfill facility. More than 18.5 million gallons of water had been filtered through the water treatment system.

**1. Amendment 11—General Contract Remaining Phase 1**

The Scope of Work for Amendment 11 included completion of site preparation work, general conditions expenses, and partial demobilization of office yard facilities. The amendment carried a GMP of \$646,745.78.

**2. Amendment 12—West Dock and Removal of Cofferdam**

The Scope of Work for Amendment 12 included removal of sheet pile cell around the SS Pasley, excavation/dredging of material within the cell and at west end outside the cell, and construction of major features of the cargo dock. The amendment carried a GMP of \$3,426,394.37.

Commissioner Fleck moved to approve NMC Amendments No. 11 and 12 and authorize General Manager Don Mann to sign the documentation. Commissioner Jincks seconded the motion and it passed 3-0.

**B. NOAA MOC-P Facility**

Facilities Manager Rick Fuller, Day CPM, reported that the NOAA MOC-P facility was running as expected and as designed. Fuller said he had three days of continuing education on the facilities management software program, learning to customize the system now that the facility is occupied. Fuller reported that there had been three ships at the NOAA dock and 114 crew members crossed the bar in the last month.

**C. Commission Vacancy—Interview Committee Appointments**

Commissioners Barton and Fleck were appointed to interview interested persons for the Position No. 1 vacancy on the Port Commission. Commissioner Goblirsch said her resignation would be effective October 7, 2011, so the period for accepting letters of interest was extended to October 6, 2011.

On a personal note, Commissioner Goblirsch said it had been a “tough decision” to stand down. She said she had been honored to serve on the Port Commission and wouldn’t have traded the experience for anything. She added that she was especially thankful to see the Terminal Renovation Project moving forward and was proud of all that the Port had accomplished.

**D. Cascades West Area Commission on Transportation—Appointment**

At a previous meeting, Commissioner Mathews had been appointed to the Cascades West Area Commission on Transportation. Commissioner Goblirsch recommended that Commissioner Jincks take Mathews’ place because of his familiarity with the Terminal Renovation Project, and Jincks agreed to serve.

**VII. NEW BUSINESS**

**A. Intergovernmental Agreement between the City of Newport and the Port of Newport Regarding Port Participation in Bay Front Area Parking System Improvements.**

Derrick Tokos City of Newport, reviewed the terms of the Intergovernmental Agreement (IGA), noting that the Port would pay \$6,000 annually to participate in the parking district. Through that participation, Port properties would be eligible for parking system improvements and the Port would be represented on the District Advisory Committee. Commissioner Jincks said he was in full support of the parking district and felt that “buying a seat at the table” would benefit the Port and the fishermen. General Manager Don Mann said the Port’s legal counsel had reviewed the document and had no questions or comments. Commissioner Goblirsch asked what would happen to the Port’s \$6,000 if the IGA was terminated. Mann said he assumed the use of that money would be determined by the City Council and it would go back to a public process.

Commissioner Jincks moved to adopt the Intergovernmental Agreement between the City of Newport and the Port of Newport Regarding Port participation in bay front area parking system improvements. Commissioner Fleck seconded the motion and it passed 3-0.

**VIII. MEETING RECESS at discretion of the chair.**

There was no meeting recess.

**IX. OTHER**

South Beach resident Jim Shaw had recently visited the Marina and RV Park at Winchester Bay. He said it was an impressive facility and he had brought back brochures and maps from the park to show the Port.

**X. PUBLIC COMMENT**

There was no public comment.

**XI. UPCOMING MEETINGS**

- A. October 8-9, Columbus Day Regatta, YBYC
- B. Joint Meeting—City Council and Port Commission, October 12, City Hall, 6:00 p.m.
- C. October 12-14, PNWAA Annual Meeting, Portland
- D. Fishermen’s Forum, Port Office, October 11, 8:30-9:30 a.m.
- E. Marina Users Meeting, October 19, South Beach Marina, 8:30-9:30 a.m.
- F. Work Session, Port Conference Room, October 25, 12:00 p.m.
- G. Regular Meeting, Port Conference Room, October 25, 6:00 p.m.

**XII. ADJOURNMENT**

There being nothing more to come before the Board of Commissioners, the meeting was adjourned at 6:43 p.m.

ATTEST:

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JoAnn Barton, President

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David Jincks, Secretary