

**PORT OF NEWPORT
MINUTES
February 28, 2012
WORK SESSION**

I. CALL TO ORDER

Assistant Secretary-Treasurer Dean Fleck brought the Work Session of the Port of Newport Board of Commissioners to order on Tuesday, February 28, 2012 at 12:00 p.m. in the Port Conference Room, the same being within the boundaries of the Port District.

Commissioners Present: Walter Chuck, Secretary; Dean Fleck, Assistant Secretary-Treasurer; Don Mathews, Treasurer.

Commissioners Excused: JoAnn Barton, President; David Jincks, Vice-President.

Port of Newport Management and Staff: Don Mann, General Manager; Patti Britton, Finance Director; Jim Durkee, Terminal Operations Supervisor; Maureen Keeler, Special Projects Manager; Barb Martin, Accounting Assistant; Patty Benjamin, Administrative Assistant.

Others: Frank Berg, Day CPM; Yale Fogarty and Pat Ruddiman, ILWU Local 53; Lee Fries, CM/GC Selection Committee; Attorney Lonn Johnston, Macpherson, Gintner & Diaz; Chris Olson, Newport Marina Store & Charters.

II. WORK SESSION ITEMS

A. Terminal Renovation Project.

1. Day CPM Services Project Update

Frank Berg, project manager for Day CPM, provided an update on the terminal renovation project. He announced that the Port's request for a 30-day in-water work extension had been granted, extending the in-water work window through March 15, 2012. Berg said the extension included all the proposed modifications to the ro-ro dock, and documents for those modifications had been received from KPFF Consulting Engineers. It is estimated that the work being done in the in-water work period will be completed ahead of schedule. Berg showed a series of slides, including removal of the sheet pile around the cofferdam; the sandblasting operation for cleaning and re-coating the sheet pile; and form work for the pile caps on both sides of the west dock. Some of the sheet pile removed from the cofferdam is being re-driven at the bow of the Hennebique, and some of it is being re-sold. Berg noted that Natt McDougall Company (NMC) had increased the buy back price on the sheet pile by \$100 per ton and the suppliers are now paying for the trucking. Approximately \$350,000 had been realized from salvage of steel from the Pasley so far. All of those funds are being rolled back into the project budget. An effort is being made to find more savings through value engineering, including a possible \$175,000 that might be realized by eliminating the dead man anchor at the left wing wall. \$3.9 million is needed in additional funding to complete the project, and part of those funds will need to be in place by the next regular meeting.

2. GMP Amendment No. 16—Soil Stabilizing at the Gap Area

Berg presented Amendment No. 16 to the contract between the Port of Newport and Natt McDougall Company. The amendment covers soil stabilization in the area behind the bow of the Hennebique and the "gap. It comes with GMP of \$255,755 and recognizes savings from previous amendments for a total GMP of \$15,484,825. The total budget for construction remains at \$15,578,680. Amendment No. 16 would leave a construction balance of \$93,855. Berg said he would ask Natt McDougall to create a summary of amendments from that point to the end of the project, so that cash flow could be anticipated. Additional funding of \$3.9 million is needed to complete the project. General Manager Don Mann said applications are being made to the state and Connect Oregon for grants and loans to make up the shortfall. Berg asked that the commission authorize the General Manager to execute Amendment No. 16 at the regular monthly meeting that evening.

B. Ordinance

Attorney Lonn Johnston, from Macpherson, Gintner and Diaz, made a presentation using visual aids projected onto a screen showing proposed changes to the Port's Ordinance No. 1 – 1991 relating to the recreational marina. Johnston said some of the general provisions, such as registration and moorage license requirements, had been moved to the first chapter of the new document, and the sections on late registration, moorage rules, and launch ramp use had not changed substantially. The new code would allow the Port, but not require it, to assign specific moorage slips. The Port would also be allowed to issue parking permits for parking in areas designated as permit-only. The

Port would have discretion to charge fees for the permits and to set eligibility criteria for issuing them. A discussion followed about liveaboard vessels and the proposed requirement for a Liveaboard Agreement on terms and eligibility criteria set by the Port. Dimensions for dock storage and signage were also discussed. Johnston pointed out that the previous ordinance did not allow for maintenance and repair work on vessels at the recreational marina, and the new code still prohibited spray painting, sandblasting, and welding or burning on vessels. Any repairs that would take longer than thirty days would require written authorization by the harbormaster. Repairs and maintenance would be allowed in designated work areas only. General Manager Mann pointed out that the recreational marina has been designated as a Clean Marina by the Oregon State Marine Board, so best management practices would have to be followed in doing any repairs or maintenance. Commissioners Mathews and Fleck suggested that the boat owner should have to sign an agreement guaranteeing compliance with the conditions required by the Port and other agencies in doing repairs. Regarding advance reservations for moorage slips, Finance Director Patti Britton suggested allowing advance reservations for monthly, annual, or semi-annual moorage up to six months in advance. A discussion followed about a late registration fee equal to one additional night's moorage for vessels that arrive outside office hours and fail to register. The General Manager pointed out that the Port's security company, TCB, has officers on duty at night that are bonded to collect fees, so they can register boaters who come in late. Commissioner Mathews questioned the restriction on parking boats or boat trailers in RV spaces. He and Commissioner Fleck felt that if the camper is paying for the spot and his boat or trailer fits in the space, he should be able to park it there.

The next work session will cover sections on the terminal and commercial marina, if that information is available. Johnston said he would need input on those sections from the Port.

III. PUBLIC COMMENT

Yale Fogarty, ILWU Local 53, asked if the Port or the Port's contractor Natt McDougall would establish the priorities as to what phases of the terminal project would be finished first, as funding became available. General Manager Mann and Commissioner Fleck assured Fogarty that the Port would direct the project and the top priority was to get the terminal back in operation again.

IV. OTHER

There was no other business.

V. ADJOURNMENT

The Work Session was adjourned at 12:55 PM

ATTEST

JoAnn Barton, President

Walter Chuck, Secretary