

**PORT OF NEWPORT MINUTES**

April 28, 2020

Regular Commission Meeting

*This is not an exact transcript. The audio of the session is available on the Port’s website.*

This meeting was held virtually by invitation only. The public was invited to view the live stream of this meeting on our YouTube Channel, Port of Newport Commission Meeting Audio. Live chat was not monitored. The public could submit comment through a form on our website no later than 12:00 pm on Tuesday, April 28<sup>th</sup>, and was read into the meeting at the appropriate time.

**I. CALL TO ORDER.....**

**Time**  
0:00

Commission Vice-President Jim Burke called the Regular Commission Meeting of the Port of Newport Board of Commissioners to order at 6:02 pm.

**Commissioners Present:** Walter Chuck (Pos. #1), Secretary/Treasurer; Gil Sylvia (Pos. #3); Jeff Lackey (Pos. #4); and Jim Burke, Vice-President (Pos. #5). Sara Skamser (Pos. #2), President, was absent.

**Management and Staff:** Paula J. Miranda, General Manager; Aaron Bretz, Director of Operations; Mark A. Brown, Director of Finance & Business Services; and Karen Hewitt, Administrative Supervisor.

**Members of the Public and Media:** Sarah Means, Regional Solutions Team; Dietmar Goebel, Newport City Council; and Angela Nebel, Summit Public Relations Strategies LLC.

**II. CHANGES TO THE AGENDA.....**

0:23

Burke added a discussion about Sara Skamser, Commission President, under New Business.

**III. PUBLIC COMMENT .....**

1:32

Burke read public comment submitted by Ronnie Ray Ogg asking if the boat launch in South Beach would be opened on May 1<sup>st</sup>.

Miranda commented there have been other requests, especially from those with annual launch passes. She said she has been in discussion with the city, county and state regarding reopening the boat launch; the City of Newport and Lincoln county had a meeting yesterday and extended the restriction on lodging until May 31<sup>st</sup>. The Governor has not yet extended her order, but we can assume she will. Miranda said the problem at the Recreational Marina is the Port can’t tell who is a tourist or not, and doesn’t have the staff to check ids. It would also be difficult to use volunteers for this task. Miranda added that the Port receives state and federal funds for the Recreational Marina, which is a public marina. It was difficult to arrive at a decision to make everyone happy. The best way is to keep only commercial, emergency and long term moorage holders using the boat ramp. Miranda said she had spoken with Ports throughout the OPPA membership about how they are managing closures. She said she is working with ODFW to hopefully coordinate the opening of all-depth recreational halibut. Miranda is also working with Lincoln County and other ports in the region on what they can agree on.

Chuck said that Tom Simpson had texted him with public comment. Simpson commented that Lincoln County should have included the Port in their discussion. He thought the marina should be opened, and commented there would be an economic impact on the Port. Sylvia asked if “public port” was a legal definition. Miranda said she understood that since the Port accepted state and federal funds the area would have to be available to the general

public if opened. She added that the Port of Garibaldi also believed this after speaking with their attorney. There is a legal agreement with long-term moorage holders that permit the opening to them. Sylvia said this would be important to communicate to local residents. Miranda said similarly she had a conversation with the Port's attorney regarding the Commercial Marina, which also could not be restricted only to local fishermen. Miranda said that ODFW's current plan for opening all-depth halibut on May 14<sup>th</sup> put the Port in a difficult position. She will discuss this further with Burke over the next few weeks.

<b>IV.</b>	<b>CONSENT CALENDAR</b> .....		17:31
A.	Minutes	2020	
	1. Commission Work Session .....	Mar 18	
	2. Regular Commission Meeting.....	Mar 24	
B.	Financial Reports		
C.	Resolution 2020-06 Authorizing Transfer of Appropriated Funds within the 2019-2020 Fiscal Year Budget		

**A motion was made by Chuck and seconded by Lackey to approve the Consent Calendar as presented. The motion passed 4 – 0.**

<b>V.</b>	<b>PRESENTATION</b> .....		17:53
	Sarah Means – Reopening Oregon: A Public Health Framework for Restarting Public Life and Business		

Means shared the presentation, included in the Meeting Packet. She asked Miranda to connect with her off-line tomorrow to have a further conversation. Means commented that this plan presented was a draft, which would likely be finalized the following week. She said this plan used information from the government, the President, and states, but there are differences. She said the President's guidelines were being vetted by government medical advisors, and there will continue to be differences moving forward. Means said there would be some heavy lifting meeting the gating criteria prior to entering Core State Preparedness phase 1, which would begin at the Governor's direction. There also may be geographic specific opening plans, about which the Governor is having conversation with Oregon counties. Means said the next step would be to finalize formal guidelines. She added that Colorado and Nevada were added to the West Coast cooperative agreement. This would be an opportunity to communicate at a high level, particularly for border communities.

Sylvia commented that each of the 50 states was approaching this issue differently, and suggested there will be a lot to learn observing the states and the rest of the world. He suggested smart policies would provide nuance to the graphed estimates. Means said the Governor was being advised by public health experts in the State, and data was being gathered on a daily basis.

Chuck asked in Lincoln County met the gating criteria, would the opening apply only to Lincoln County residents. Means said they know of the concerns of coastal communities and the challenges with people coming to the coast. The Governor is aware of these challenges, including the supply chain and vulnerable populations, and the need to be thoughtful how to open them up. There will be conversations between those communities and the Governor's office.

<b>VI.</b>	<b>OLD BUSINESS</b> .....		51:34
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A. Items Removed from Consent Calendar

There were no items removed from the Consent Calendar.

B. Accounts Paid.....

51:41

**A motion was made by Chuck and seconded by Lackey to approve the Accounts Paid. The motion passed 4 – 0.**

C. General Manager Annual Performance Evaluation (ORS 192.660(2)(i)) .....

52:20

Burke said the Commission had held an Executive Session to discuss this evaluation, which went well. Chuck proposed making the General Manager’s contract for three years, with salary reviewed on a yearly basis. Miranda said she had looked at three similar ports in Oregon, with Astoria paying \$141K for a new hire, and Coos Bay paying \$152K eight years ago. She asked for equity with similar ports in the area. Lackey said he was considering more than a minimal increase. Sylvia said he didn’t realize the significant difference in salaries, and suggested merit and comparative salary were different considerations. Chuck it would be a big jump to make it competitive, which may be deserved, but there could be an issue with perception at this time. Burke commented the current posted range for the position ran from \$128K to \$141, 129 per year. There was discussion about percent increases ranging from 7% to 10%. Lackey and Burke suggested a \$10,000 increase, approximately 10%. There was additional discussion about considering aligning with other ports.

**A motion was made by Sylvia to offer Miranda a 9% increase in salary for the next contract year.**

Lackey suggested an increase to \$141K which would be equal to Astoria and was within the position salary range. He commented on Miranda’s great job and experience level.

**An amended motion was made by Sylvia and seconded by Lackey to offer Miranda a salary increase to \$141K. The motion passed 4 – 0.**

Chuck asked if a three year duration would be part of the new contract. Burke said that could be considered with a draft contract at the next Commission Meeting.

**VII. NEW BUSINESS**.....

1:13:24

A. Insurance Representative and Producer of Record

Brown introduced the Staff Report included in the Meeting Packet and reviewed the selection process. He said the reviews by Miranda, Brown, and himself were all in the same range. In response to Chuck’s question, Brown said WHA is located in Eugene with offices in Portland and Salem. Chuck said in the past the Port had tried to go local whenever it could, and the Port had just switched from a local bank. Brown said giving preference to local businesses would violate procurement law. Miranda agreed the Port would hire local when can, which would be possible if within a 10% range which was not the case here. Brown said the savings would be at least \$40K. Burke said he liked the process, and Sylvia said it sounded like a thorough job.

**A motion was made by Sylvia and seconded by Chuck to authorize the General Manager or designee to appoint WHA Insurance as the Port’s insurance representative and Producer of Record for all matters relating to and concerning the Port’s insurance, and authorize payment of insurance premiums related to this Request for Proposal. The motion passed 4 – 0.**

**VIII. STAFF REPORTS**

A. Director of Finance & Business Services.....

1:19:10

1. March Occupancy Report

Brown introduced the Staff Report included in the Meeting Packet. He remarked on the closure of the RV Park, and said every day there are both cancellations made and reservations taken. Brown said the remote deposit capability and credit machines were installed Monday. He highlighted that the RV Park revenues were down, but so were relative expenses. Sylvia asked how much of the current trends were due to increased fees vs. increased usage. Brown said that was not easy to pull apart but he thinks it's a combination. Brown said he would prepare a document comparing usage figures. Miranda said that the Port has also added services. She commented that Bretz's work increasing efficiencies also contributed to revenue increases. Lackey commented he observed the Terminal was busy and Port Dock 5 was stacked with boats.

Brown commented on the Occupancy Report that because of the closure due to COVID-19 RV Parks showed decreases, but the Marina was sold out for all but six spots.

B. Director of Operations.....

1:25:41

Bretz introduced the Staff Report included in the Meeting Packet. Bretz said that one factor in increased services was additional shifts, which would continue as long as there are customers and it is profitable. The extra person at the Terminal has helped delivering services. Bretz said it was a tough month for getting projects done, and service providers also face challenges. He said he hoped to have Earthworks start in the next 2 – 3 weeks, the camel installation in the next week and a half, and the camera installation would be starting this week. The camera installation in South Beach was one of the ways the Port was looking to increase security after hours. Bretz said he had attended a kick-off meeting regarding the Army Corps dredging of the Commercial Marina channel, which was the beginning of a phased effort.

Bretz said there had been a lot of staff absences this month. The Port gave employees an extra five days of PTO to eliminate the motive for people to come in when they are sick, which has been used accordingly.

He added that the Port may need to draw down on services if absenteeism becomes a problem. Bretz advised there would be a Commercial Fishing Users Group Committee later this week. He highlighted the numbers using the boat ramp prior to the closure, and remarked on the number that could be brought out by the all-depth halibut opening. The Port is considering other factors as well, and trying to follow the written guidelines as closely as possible.

C. General Manager .....

1:35:58

Miranda introduced the Staff Report included in the Meeting Packet. She said she spent most of the month dealing with COVID-19 issues. She restated the additional PTO as Bretz had explained. Miranda said she truly appreciates everyone at the Port and how they are handling this situation. She said the Port of Newport experienced minimal financial loss compared to other ports, particularly those who relied on recreational business and the ports to the north who had to close; this is a difficult time for everyone. Miranda said she takes the concerns seriously and has been in conversation with other ports, other partners, and the Port's attorney in order to make the best decisions possible. Since the commercial activity at the Port was part of interstate commerce, it could not refuse service if the borders were not closed. Certain measures were implemented to try to keep people as safe as was possible. Miranda said this was difficult with the Recreational Marina. While she understands fishing is a lonely thing, the intent of the City and the County is to keep out tourists. This has been working well for the most part, but there is no way to make everyone happy. The biggest concern now is halibut coming up. Miranda said she is in conversations with the County and other ports to try to have ODFW coordinate with the region. Miranda added the City/County's extension of closures until May 31<sup>st</sup> will affect the RV Parks, but the Port is still taking long term reservations.

Miranda said a letter from the City of Newport was included in the Meeting Packet, requesting support for Urban Renewal funds repurposing. The details are still being discussed, and the City is putting together a committee. While she believes this won't have much impact on the Port, it may delay some work that would have been done with those funds.

Chuck suggested that Angela Nebel prepare a release about what is going on around the boat ramp and halibut, and what the Port would use to make decisions in the future. Miranda said there is a document posted on the Port's website regarding the boat ramp. She added she received an email from ODFW before the meeting which said they will continue working with ports regarding the halibut opening date. She will be meeting with Lincoln County Commissioner Kaety Jacobsen and other area ports about coordinating this. Chuck said halibut could see a big injection of people, which was the concern. Sylvia said the Port needs to be flexible and creative while keeping people safe; the halibut opening date puts the Port in a bad position between local and State agencies. Miranda said ODFW acknowledged they hadn't taken that into consideration and will be looking at that. ODFW still has a tentative date of May 14<sup>th</sup> for all-depth halibut, but will continue to have the conversation. Miranda said she will talk to Tillamook County and area ports to get them on board working with ODFW. There is also the issue of charter boats.

Sylvia asked what the Urban Renewal funds were targeted for. Miranda says she is not familiar with this particular Urban Renewal fund and would want to understand it well before going for a vote on the issue.

Miranda said she received a call from Sara Skamser yesterday, saying she wants to resign from the Commission for personal reasons. Miranda has not yet received that in writing. As soon as that's received, she will bring that up with the Commission and go through the process of filling the vacancy. Miranda said she was sad to see Skamser resign, and found her very fair, very open, and a good listener. Miranda said she enjoyed working with all of the Commission, but she will miss Skamser. Chuck said he was sorry to see Skamser go. Burke said the Port would announce the vacancy once a formal letter was received.

**IX. COMMISSIONER REPORTS/COMMENTS .....**

2:02:40

Sylvia asked about his role on the Cascades West Area Commission on Transportation. He said they report to ODOT, and discussions have mostly been about bridges, roads and highways. Miranda said that group that reviews funds coming into Oregon from federal sources managed by the State or from Connect Oregon. She said there may be opportunities that the Port would want to be considered for, or if the Port gets cargo, how to handle truck traffic. It is more about building a relationship now until something comes up that is of interest. There also may be benefit to the region that might indirectly benefit the Port. Sylvia and Miranda will schedule a one-on-one meeting to discuss ideas. Chuck added this representation will be important especially when it comes to Connect Oregon money for Port infrastructure. The group will vote on which projects to move forward, and the Port's liaison can lobby for projects important to the Port.

**X. CALENDAR/FUTURE CONSIDERATIONS .....**

2:09:16

- Budget Committee Meeting..... May 12
- Memorial Day – Port Office Closed ..... May 25
- Regular Commission Meeting ..... May 26
- Public Hearing & Adopt Budget Resolution; 6:00 pm ..... June 23
- Regular Commission Meeting ..... June 23

Miranda added that a Commercial Fishing Users Group Committee Meeting would be held Thursday, April 30th. Lackey volunteered to attend as a Commission liaison along with Burke.

**XI. PUBLIC COMMENT** .....

2:10:18

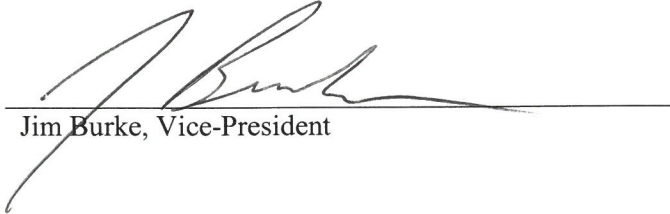
There was no public comment at this time.

**XII. ADJOURNMENT** .....

2:10:35

Having no further business, the meeting adjourned at 8:12 pm.

ATTESTED:

  
Jim Burke, Vice-President

  
Walter Chuck, Secretary/Treasurer