

January 24, 2023
6:02 P.M.
Newport, OR

PORT OF NEWPORT COMMISSION MINUTES

This is not an exact transcript. The video of the session is available on the Port's website.

The Port of Newport Commission met on the above date and time at the South Beach Activity Room, 2120 SE Marine Science Dr., and virtually via Microsoft Teams. In attendance were Commissioners Sylvia, Lackey, Burke, Retherford, and Chuck. Also in attendance were General Manager Paula Miranda, Operations Director Aaron Bretz, Director of Finance and Business Services Mark Brown, and Administrative Assistant Gloria Tucker. Visitors from the public included Paul Zellman.

CONSENT CALENDAR

MOTION was made by Lackey, seconded by Chuck, to approve the consent calendar as presented. The motion carried unanimously in a voice vote.

OLD BUSINESS

NOAA Emergency Power Agreement Renewal. Burke introduced the agenda item. Bretz reported this agreement would last several years, but it is not a large expenditure. He noted this is the best qualified company for the best value. He added he is looking for approval to enter into an agreement with ASCO to maintain emergency power, which is a contractual requirement at the NOAA facilities.

MOTION was made by Chuck, seconded by Retherford, to authorize the General Manager, or designee, to sign Proposal No. 129248 from ASCO Power Services.. The motion carried unanimously in a voice vote.

NEW BUSINESS

Approval of Additional Sediment Sample Testing in South Beach Marina. Burke introduced the agenda item. Bretz reported the sampling is for permits for dredging in South Beach. He stated he expects permitting to take a while because the Port is doing an individual consultation on this project. He noted the Army Corps tested for dioxins and furans in their federal project for dredging the channel. He explained they found an elevated level and asked the Port to test samples for it. He indicated testing for this is unusual since they are present in the environment everywhere. Chuck clarified with staff the test is a requirement. Retherford confirmed with staff the Port will know the test results before the next Commission meeting. Sylvia asked how elevated is elevated. Bretz replied more than what is customary was found, but he doesn't know the percentage or context.

MOTION was made by Sylvia, seconded by Lackey, to authorize the General Manager, or designee, to add testing for dioxins and furans to the sampling contract with Advanced Remediation Technologies in an amount not to exceed \$2,500, which includes a 10 percent contingency. The motion carried unanimously in a voice vote.

STAFF REPORTS

General Manager. Miranda reported it's been a quick month. She noted crab season started so staff have been super busy in the Commercial Marina. She stated the good thing is since the Port has started to cross train people, the Port has had more folks to help. She indicated in South Beach one of the complaints staff receive regards lights on the docks. She explained there are pagoda lights that get damaged quite often. Bretz reported the lights were supposed to be replaced by light poles this week, but that hasn't started because there was a water leak in the annex.

Miranda reported most of the NOAA boats are still docked. She noted the Port is still working on issues on permitting, so it doesn't seem like the Port can get the dredging done in the in-water work window. She indicated that includes NIT and NOAA. She added the window closes February 1.

Miranda reported NIT berths are not in that bad of shape and work fine for current users. She noted the cost would be \$1.1 million to dredge NIT, and there may be state and federal dredge funds available in the future. She suggested it wouldn't be a bad idea to hold off on dredging NIT until the Port can take advantage of those funds. She indicated NOAA is a bit different, and there is a contract obligation. She added as soon as the Port gets the permit, the Port may consider borrowing some money from the NOAA account to get it done, like it did for the load centers once that account is paid off. Lackey confirmed with staff each project costs \$1.1 million. Miranda added South Beach dredging will probably cost a little more. Lackey asked if this delay would affect the NOAA contract. Miranda replied she is going to write them a letter explaining the situation.

Lackey asked how long since NIT was dredged. Bretz replied it was dredged last in 2012. He stated his biggest concern is on the shoulders of the approved dredge prism; southeast of the pier is shoaling up a little. Miranda noted the Port does not want to wait until there is a problem. She stated considering the cost and there may be other opportunities to fund this, it makes sense to hold off on NIT dredging.

Miranda reported on improvements to one of the old cherry plant buildings with costs offset by having a tenant. She stated the Port has been discussing street camping with the city police. She noted last summer, customers complained about folks camping on the street, using the RV Park's restrooms, and going through trash. She explained the city passed an ordinance limiting camping that applied to the Port in certain areas. She indicated the Port is working with them to put up 4-hour signs for parking. She added she knows this is a social problem, and she is sympathetic, but the Port has customers to take care of.

Miranda reported the Seafood and Wine Festival is coming back, and the RV Park is sold out except for a few spaces in the dry camp. She noted staff are working on the RV development plan for changes over a three-year period. She indicated, eventually, she will bring the whole plan to Commission.

Miranda reported staff were supposed to move on February 10 to the Administration Building. She stated she received notification on a delay to electrical parts again, which are needed for certification of occupancy. She noted the earliest the equipment arrives is March 6, so everything has been delayed. She indicated Commissioners are welcome to take a walk through at any time. She added dock assignments in the Commercial Marina are going OK.

Miranda reported there were a couple of issues with people who didn't want to move. Bretz stated he knew it would be an issue, so it is expected to have certain folks who want a certain spot that isn't theirs. He noted it has been rectified at the moment.

Miranda reported Port Dock 7 planning is moving forward. She stated she has been talking to Business Oregon on the possibility of getting interim docks while staff are waiting for this project to be completed, four or five years. She noted the floating docks could be used somewhere else afterward. She indicated several Port projects have been added to their state priority list. She added the Port received the pedestals for Port Dock 5.

Miranda reported at some point there will need to be a meeting with the Commercial Fishing Users Group about the city's changes to public parking. She noted staff have expressed the concerns of fishermen at the city meetings. Bretz noted one thing to be aware of for budgeting is how much to spend on enforcement on the Port's parking, in particular the fishing lots the Port leases. He stated if it's more expensive to park in street, people will look to Port properties, and if fishermen see people who aren't supposed to be there, that will cause problems. He added he will make some suggestions on numbers during the budget. Miranda noted the enforcement will impact the fees too.

Miranda reported the repair plan for RORO Dock is another project that will cost a lot of money, \$600,000. She explained, depending on the budget, repairs may have to be done gradually, a few pilings per year. She noted it is another project on the state list. Lackey asked what are the repairs that need to be done. Bretz replied patching and welding around holes. He noted all of them will get ultrasonic tested to find weaknesses. He explained part of the plan is to figure out pile by pile what is needed. He indicated there's about 55 piles there. He added spalling on concrete tresses underneath will have to get addressed as well. Retherford confirmed with staff the repair plan will be submitted to Bretz tomorrow.

Bretz reported as the engineering picture becomes complete, the cost estimate should drop. Lackey asked how long the repairs will last. Bretz replied at the end of everything, the Port will know how long they will last. Lackey asked if there will be any cathodic protection. Bretz replied some already have that, but others need it. Sylvia confirmed with staff this rate of degradation was expected. He asked if it was budgeted for. Bretz replied a financial plan for the repairs was never done before. Miranda noted the Port wants to have plans in place so staff know the costs and can take advantage of opportunities. Miranda indicated finances are on track. She added there were a lot of projects, and a lot to come.


Sylvia stated he is concerned about NOAA. He noted, eventually, their lease will have to go out for bid. Miranda replied she worries about that too. She stated the Port wants to be a good landlord and abide by its agreement. She noted this year there were things that were beyond the Port's control. Sylvia expressed concern about the issue of regulatory costs and their impact. Bretz replied for the next permit, he recommends going after individual consultation. He explained once they approve the project, approval remains for about 10 years. He stated, ideally, the Port should get the project approved. He added he would like to use this approach in all the marinas. He explained that means investing more monies in permitting, but then the Port only has to worry about contracting.

Sylvia asked what Bretz meant in his report that DLCD elected to exercise their discretion to require additional processes for the NOAA project. Bretz replied in a lot of permits there are standards, if you meet, they can give you a programmatic opinion. He explained that is supposed to keep things moving along. He stated DLCD previously gave a ruling the NOAA project met the requirements, and the Port didn't have to go back and get additional approvals. He noted this time,


they questioned if the dredge pipe impacts eel grass. He emphasized the Port doesn't believe this project ever has affected eel grass. He indicated they think in order to be true to their regulations, the Port needs extra approvals. Discussion ensued on the permitting process and timing. Miranda added it may be a legislative issue to lessen delays. Bretz stated it is helpful to have statutory deadlines. He added eel grass is an extremely important part of the ecosystem, and people need to protect it. Discussion ensued on lobby efforts regarding these issues.

ADJOURNMENT

Having no further business, the meeting adjourned at 6:54 p.m.



James Burke, President



Walter Chuck, Secretary/Treasurer