

February 28, 2023
6:00 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, Burke, Retherford, and Chuck. Commissioner Lackey was excused. Also in attendance were General Manager Paula Miranda, Operations Director Aaron Bretz, Director of Finance and Business Services Mark Brown, PR Consultant Angela Nebel, and Administrative Assistant Gloria Tucker.

CHANGES TO THE AGENDA

Miranda recommended tabling the employee recognition to next month. Burke tabled the item.

CONSENT CALENDAR

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

NEW BUSINESS

Update on NOAA Dredging Contract. Burke introduced the agenda item. Bretz reported he sent Bergerson a draft contract, but they are uneasy about the dates. He explained the Port is trying to have the dredging done at the beginning of the window to avoid scheduling problems at the pier. He noted a lot of this is a product of the shortened in-water work window. He stated a dredging company used to be able to consecutively line up jobs, and they can't do that. He indicated he has asked for a date when they could be complete, and they may have to mobilize another crew and equipment, which would increase the cost by 50 percent.

Bretz reported another option is that he scheduled a meeting with the Port's consultant, NOAA fisheries, and ODFW to see if they will allow the Port to dredge outside the window. He noted he is skeptical they will be receptive to that. He stated they could allow the Port to dredge before the season starts if they do the dredging at the same time as the Army Corps. Miranda stated she is hoping to ask NOAA for a letter of recommendation. She noted she would like to approach local legislators on this because the window is really affecting costs for everyone.

Sylvia clarified with staff 50 percent means \$400,000 to \$500,000. He asked why the in-water work window was shortened. Bretz stated his understanding is there is concern about herring. He noted he doesn't know what that concern is since they are not a listed species. Discussion ensued on the environmental impacts of dredging versus the economic impacts.

Burke stated the window started to improve coho return. He noted they usually allow later, not earlier, dredging. Bretz replied the Army Corps will be dredging right next to that spot. Sylvia clarified with staff Army Corps dredging is done June through October. Retherford asked who pushed forward changing the in-water work window. Miranda replied ODFW is responsible for

this particular change. She noted they usually send out information, but she doesn't remember seeing anything. Bretz noted he has talked to several ports and contractors, and this was a surprise to everyone. Retherford asked how this can be addressed. Miranda replied, typically, OPPA addresses these types of issues. She noted they have been talking about it. She added this is affecting several ports and the dredgers because they are losing business. She indicated she is going to do a bit of research before she talks to legislators.

Sylvia stated he hopes there is logic here. He added unless there is a population in danger and there is evidence of that fact, there should be room for them to reasonably compromise. Burke asked if there is any opportunity to change NOAA's vessel docking. Bretz replied that is another option. He explained they are doing repairs during that time. He added it may be easier to move the dredging dates around then rearrange the maintenance schedule for the NOAA fleet, but he will see.

STAFF REPORTS

Operations Director. Bretz reported he is still working on the feasibility study with the Army Corps. He stated one of the biggest variables will be the mitigation work. He explained under the Coastal Zone Management Act, the Army Corps have authority to perform mitigation, but they can't acquire or lease property. He noted the Port owns some submerged land around the bay, so if they can do it, the cost share is 90-10 for mitigation. He indicated they would pay 90 percent, and the Port would pay 10 percent for mitigation.

Bretz reported ultrasonic testing is going on at the Terminal. He explained the contractor has a little more to do on the RORO Dock. He stated the worst area is above the splash zone to the top of the pilings. He noted he has been doing focus group meetings for Port Dock 7, talking to users and tenants. He added staff are preparing to put the rewiring of Port Dock 5 out to bid.

Miranda reported on the Administration Building. She stated the manufacturer has given April 13 as a new date. She noted there may be another change order since the delay is causing additional costs. She explained staff are still working through the contract. She added there may be language that protects the contractor because of supply issues.

Director of Finance and Business Services. Brown reported staff fully deployed Business Central and are looking for ways to streamline workflows. He stated staff deployed the service tickets, so commercial staff are doing the service tickets. He noted until two weeks ago, the Port was behind two months in billing, but it is no longer there. He indicated the RV Park looks really good and is sold out practically for summer months.

Brown reported the Park was sold out for the Seafood and Wine Festival, but there were last minute cancellations due to weather. He explained the Port has a no-cancellation policy, but this was unforeseen, and he did not want to endanger folks. He stated the Port honored cancellations. He indicated he is working on the budget, and supervisors are reviewing their budgets. He added there is \$17 million in projects identified.

Brown reported he is delaying the rollout of the employee handbook because new laws are coming out this session, and the Oregon Paid Leave Act needs to be incorporated. He noted he has hired a third party to help staff get caught up in accounting. Miranda noted there are funds in professional services for that, so not it will not add to the budget. Retherford clarified with staff the fiscal manual is reviewed every two years and updated by resolution.

COMMISSSIONER REPORTS

Chuck reported on his attendance at the annual SDAO Conference. Miranda stated she highly recommends more of Commissioners participate in the conference.

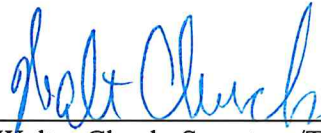
ADJOURNMENT

Having no further business, the meeting adjourned at 6:36 p.m.

Jim Burke

Jim Burke (Mar 30, 2023 12:16 PDT)

James Burke, President



Walter Chuck, Secretary/Treasurer







February 28 2023 minutes

Final Audit Report

2023-03-30

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