

November 21, 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 Administration Building, 600 SE Bay Blvd., and virtually via Microsoft Teams. In attendance were Commissioners Retherford, Ruddiman, Chuck, and Lackey. Sylvia was excused. Also in attendance were Executive Director Paula Miranda, Director of Business and Finance Services Mark Brown, Operations Director Aaron Bretz, Administrative Assistant Gloria Tucker, and PR Consultant Angela Nebel. Visitors included Dietmar Goebel.

### CHANGES TO THE AGENDA

Miranda suggested moving up Item B. Port Dock 3 Emergency Repairs from New Business to Old Business and removing Section 5. Presentations since the Yacht Club could not attend. Retherford agreed.

### 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

Approval of Change Order for Rogue Seawall Project. Retherford introduced the agenda item. Bretz reported he has another change to this report. He stated the purpose of this proposal is to monitor the groundwater and head pressure behind the seawall before the project and after to see how the changes hold up. He explained the wall was designed with the assumption there would be minimal head pressure behind the wall. He noted there is pressure building up behind the wall, so the water doesn't have anywhere to flow out of, and the water finds every little crack and pulls sand with it. He indicated part of the most recent plan includes the addition of horizontal drain tubes, similar to highway projects, that will allow the water to flow in and out without causing structural problems. He added the cost is an additional \$29,960 to cover PBS' consultation with GRI, making the total \$55,460 which includes a small contingency. Miranda explained the new total is \$29,960, not \$55,000.

Chuck asked, with all that equipment in the building, was that area built to have all that weight. He noted originally the building was going to have boat storage, and now there is a lot of heavy equipment and machinery in there. Bretz replied the main difference has to do with the type of loading. He stated there is dynamic loading that was not originally designed for. He noted this project doesn't have to do with that aspect. He indicated the slab is a totally different concern, and this has to do with stabilizing the wall. Miranda stated Rogue has been notified about the areas where they are not to put additional loads, and until all this work is completed with seawall, there is only so much they could put in there.

Lackey asked if anything is in their lease about what they can put where and weights. Miranda replied that is not in the lease, but for their safety, they follow the engineer's recommendations. Lackey asked if it would be worth exploring at a lease renewal in the future to have additional language. Miranda replied once the seawall is fixed, that should not be an issue anymore. Bretz stated what's in the lease currently is if they make changes, they have to submit those to the Port, and the Port has to approve them. He explained over the years, as they have made changes, they have submitted drawings to the Port, and the Port has approved them. He added the cumulative total is the slab use is very different than when it was originally built.

MOTION was made by Chuck, seconded by Ruddiman, to authorize the Executive Director or designee to amend the PBS contract to include the addition of a monitoring well and the associated monitoring and lab work for the Rogue Seawall Stabilization Project in an amount not to exceed \$29,960. The motion carried unanimously in a voice vote.

**Port Dock 3 Emergency Repairs.** Retherford introduced the agenda item. Bretz reported during the recent minus tide, Newport had a small storm come through, and two pilings on the end of Port Dock 3 were damaged. He stated the Port needs to get those replaced. He explained he applied for emergency permits, and those should come through next week. He indicated Bergerson will be able to do this work, and their quote included the full mobilization costs. He added he expects the cost to be cheaper since they are already mobilized.

Bretz reported he is requesting authorization for two pilings to be driven as quickly as possible because the Port has been putting some pretty big boats on Port Dock 3. Miranda noted the Port does have some funding designated to this type of maintenance. She noted staff are going to look at how often emergency pilings are replaced annually and make sure the Port has enough funds designated.

Chuck asked what size the pilings are now and the ones to replace them. Bretz replied what's in there now is 12 inches, and the Port will be replacing them with 16 inches, half inch thick, and galvanized. Retherford asked have any of the other pilings been checked to see if anything else is cracked and ready to be replaced. Bretz replied the dock could use new pilings, but they aren't critical. He explained he can get emergency permits because of the state of these two pilings, but it is too much to ask for the others.

MOTION was made by Lackey, seconded by Chuck, to authorize the Executive Director or designee to contract with Bergerson Construction to drive two pilings at Port Dock 3 in an amount not to exceed \$56,000. The motion carried unanimously in a voice vote.

**Approval of Employee Assistance Program (EAP) Agreement.** Retherford introduced the agenda item. Brown reported for three years, the Port has offered an EAP program to employees. He stated it's \$2,700 a year and offers thousands of training programs, counseling, assistance to supervisors if they have difficult employees, financial services, and legal services. He noted utilization is 30 percent, and that is considered a high use. He added the cost is small, but because it is a contract, he brought it to Commission. Lackey and Retherford expressed support for the program.

MOTION was made by Chuck, seconded by Ruddiman, to authorize the Executive Director or designee to execute the EAP program contract for the period of December 1, 2023, to November 30, 2024, for \$2,700. The motion carried unanimously in a voice vote.

## **NEW BUSINESS**



**Authorization to Pre-apply to State and Local Cybersecurity Grant program (SLCGP)**. Retherford introduced the agenda item. Brown reported this has no cost to the Port except some time. He stated it's 100 percent grant with no matching funds. He explained the grant would move the Port from a .com environment to a .gov environment, which no one else but government agencies can apply for. He noted this is a national cybersecurity movement to move all municipalities and governments to the .gov environment to protect them from cybersecurity threats. He added there's going to be grants in future years, and the Port has to have this in place in order to be eligible for those grants.

MOTION was made by Chuck, seconded by Lackey, that should the office of Emergency Management approve the Port Registration, the Executive Director or designee is approved to apply for \$50,000 in grant funding for the migration of the Port to a .gov environment. The motion carried unanimously in a voice vote.

## **STAFF REPORTS**

**Executive Director's Report**. Miranda reported it has been a short month with holidays. She stated the Port received the PDIP grant, which is great news, but now the Port has to come up with its match. She noted the concept is to purchase a couple of yard equipment for NIT, grade the nine acres, and fence three acres. She indicated the Port had the intent of grading the area anyway, and originally budgeted \$300,000. She added for the match of \$860,000, overall, the Port is adding a little over \$500,000 for these additional requests. She explained the Port will need to go through a process with the Maritime Administration (MARAD) called NEPA even if there's no pollution to obtain the grant.

Miranda reported that process can take a month to six months and is scheduled to start sometime in December. She stated most MARAD projects take one to six years. She noted the equipment would take up to a year to be built as well. She indicated once staff order the equipment, the Port will need to make a downpayment, and that will be the Port's match. She added she will be meeting with Heather Mann when she gets back so they are aware of the process. She explained the intent was never to remove fishermen from the Terminal, but the Terminal is multi-use so different users need to work together.

Chuck confirmed with staff the grant is a one-to-six-year process. He asked if the Port would manage the grant or hire someone to do it. Miranda replied the Port will manage the grant. Brown noted with the new financial system, the Port has the ability to monitor the grant closely and know exactly how much has been spent.

Miranda reported in South Beach, the RV Park Annex Plan is moving forward. She stated staff would probably bring that to the December meeting. She noted the projected cost concerns her a bit because the repairs are getting more and more expensive. She indicated this type of project is difficult to get grants for and could cost \$2.5 to \$3 million for construction. She added the Port may get small grants for portions of it, but the challenge will be actual construction. Retherford stated it is nice to have the plan in place, in case something comes through. Miranda added Travel Oregon does a great job with marketing tourism, but the funds are not there for tourism infrastructure.

Miranda reported the RV Park plan has been moving forward with no major complaints. She stated the Port completed the NOAA dredging, which came in under budget at \$1.1 million. She indicated for the seawall, the Port will try to make the project fit in this in-water work window,

but is working on a variance for an extension just in case. She noted the Port is dealing with a lot of derelict vessels, 22 now. She added there is a sunk vessel in South Beach. She explained it is not leaking, but the owner did not have insurance. She noted staff are close to making sure everyone has insurance. Brown noted if vessel owners don't provide insurance within five days, they have to leave. Miranda added removing this vessel will be very costly.

Retherford asked if someone is working on all the insurance for the boats. Brown replied the new reservation system tracks it, and the new RV Park Supervisor is aggressively pursuing it. He added the Assistant Harbormasters are working on it on both sides. Bretz noted the Wharfinger is a big part of that too. He explained she is on the docks and reminds folks. He added he is hopeful with all those fronts, compliance will be better. Lackey asked what happens when vessels do not have insurance. Brown replied the Port will seize it and pull it out of the water.

Miranda reported staff are working on the Port Dock 7 plan. She noted the Connect Oregon grant is coming in January, and staff will try to get that project in there. She explained Connect Oregon funding would be the Port's match for additional grant funding. Retherford asked when the sediment sampling will be done. Bretz replied January, and permits are submitted.

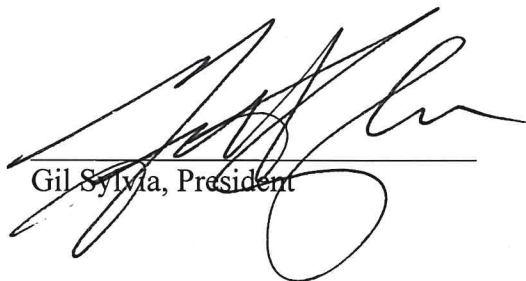
Miranda reported it may be months before the Port hears about the RORO funding. She stated for the crane, the Port received the award letter for the loan from Business Oregon. She noted staff will likely bring a resolution to the December meeting. She indicated as soon as the Port gets the crane, staff will list the old crane for sale. Ruddiman asked if the crane is listed through the state auction. Bretz replied there are a couple of online brokers. He noted he talked to a few people around the area, but no one has indicated they are interested. Miranda stated the Port will try to get the best price. Chuck confirmed with staff the Port will declare the old crane as surplus property.

Miranda reported there will be a SDAO Risk Management training in Newport on December 12 from 9 a.m. to noon. She requested moving the January meeting to January 30, 2024, and the March meeting to March 19, 2024. The Commission provided consensus to move the meeting dates.

### ADJOURNMENT

Having no further business, the meeting adjourned at 6:50 p.m.

ATTESTED:



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Gil Sylvia, President



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Walter Chuck, Secretary/Treasurer