

## PORT OF ASTORIA

### REGULAR COMMISSION MEETING OCTOBER 20, 2009

#### I. CALL TO ORDER/ROLL CALL

President Hunsinger called the Regular Meeting to order at 6:03 pm and took roll call.

Persons present were:

Commissioners: Bill Hunsinger, President; Dan Hess, Secretary; Jack Bland, Treasurer; and Larry Pfund, Alt. Secretary/Treasurer. Floyd Holcom was absent.

Staff: Jack Crider, Executive Director and Colleen Browne, Financial Manager

Also present was Janet Farstad, Vicki Goodman, and Lesle Palmeri

News Media: Cassandra Profita, The Daily Astorian and Jeff Nelson, KAST Radio

Guests: Lori Durham, Ted Thomas, Pam Hunsinger, Marie Lansing, Bruce Lansing, Andrew Bornstein, Jay Bornstein, and others.

#### II. CHANGES TO AGENDA

ADD: X.B. DSL New Definitions

MOVE: Airport Highway 101 Entrance when Kirk Fausett arrives.

#### III. MINUTES

Special Meeting, August 27, 2009

Regular Meeting, September 15, 2009

Special Meeting, September 29, 2009

Special Meeting, October 13, 2009

Commissioner Hess moved to approve the minutes as written, seconded by Commissioner Pfund.

VOTE: Yes – Commissioners, Hunsinger, Hess and Pfund

Commissioner Bland abstained due to not having enough time to read the minutes.

#### IV. FINANCIALS – MONTH OF SEPTEMBER 2009 by Colleen Browne

##### A. Vouchers

A/P and A/R Aging Summary now includes comments to clarify the accounts.

A/R over 90-days: Carnival Cruise - expect payment on 10/16.

Overbay House Works - paying \$2,000 increments to catch up.

Western Seafood - expect payment 10/14

A/P: Bergerson \$47,000 invoices Oct. to April, paying proportionally; \$185,000 is reimbursed by Connect OR II.

DSL \$38,000 rebilled to LNG.

Commissioner Hess moved to approve the vouchers, seconded by Commissioner Pfund and unanimously approved.

##### B. Financial Reports

Balance Sheet: working on reconciliation for audit in December.

Profit and Loss: Lease and Rental Income was good at \$167,000

Net Income was \$161,000  
Yearly loss is due to annual bond payment.  
Budget at 25% but includes season amounts.

Commissioner Bland moved to approve the financial reports, seconded by Commissioner Hess and unanimously approved.

#### **V. AIRPORT HIGHWAY 101 ENTRANCE**

Kirk Fausett explained that he owns property adjoining airport property. When he partnered with Art Riedel to purchase 85 acres for commercial development, ODOT assured him access off Highway 101. Later ODOT claimed the assurance an error so now Fausett needs to go through an application process to get it. Fausett will pay the fee of \$5,000 and do all the work but needs Port support. The proposal is to access at Harbor Street at the existing light, and then construct frontage roads to Port and business sites.

Jack Crider explained that the Port gave up their right of way access a long time ago but now wants to get it back for an airport terminal. Even though ODOT has recommended a joint application, they do not have to grant the access to the Port.

Commissioner Bland moved to authorize the Executive Director to draft a letter of support for the project and sign the ODOT application for access, seconded by Commissioner Pfund and unanimously approved.

#### **VI. PUBLIC COMMENT**

Ted Thomas commented he has not seen the public meeting notices in the newspaper.

Jack Crider said Cassandra usually puts in a news article and the Port sends e-mails, but will follow up. Lesle Palmeri noted the email notice was sent 10/16.

Ted Thomas asked about the slough portion for (Fausett) development.

Jack Crider said the Port has nothing to do with the development.

Lori Durham commented on the Justice Department investigation of Calpine Lease and asked if the Port could now get out of the LNG lease.

President Hunsinger said the Ports attorney had not commented on it yet, it's not clear on the process to take.

Lori Durham asked about the North Tongue Point Lease.

Jack Crider said the Washington Group was waiting for the Ports pollution insurance policy. The binder was received today so the lease should be coming soon. Once the lease is signed and received, it becomes public information.

**VII. ORDINANCE 2009-01 RATIFYING CONSORTIUM AND INTERGOVERNMENTAL AGREEMENT BETWEEN CITY OF NEWPORT AND PORT OF ASTORIA; AND PROVIDING FOR GOVERNANCE AGREEMENT BETWEEN CITY OF NEWPORT, PORT OF ASTORIA AND SEAPORT AIRLINES**

1<sup>ST</sup> reading by Janet Farstad

Second reading will be at the regular meeting November 17, for approval.

**VIII. ORDINANCE 2009-02 ESTABLISHING POLICY AND PROCEDURES FOR DSUPPLYING FUEL AT PORT OF ASTORIA PIER FACILITIES AND REPEALING ORDINANCE 1990-01 –**

1<sup>ST</sup> reading by Janet Farstad.

Second reading will be at the regular meeting November 17, for approval.

**IX. CONNECT OREGON III PROJECTS**

Discussion:

Projects should be prioritized.

After application some projects could drop out during process.

Need to look at match, some may be difficult for the Port to fund.

**X. RECESS at 7:12 pm TO EXECUTIVE SESSION IN ACCORDANCE WITH ORS 192.660 (2)(e) TO CONDUCT REAL PROPERTY TRANSACTIONS; AND ORS 192.660(h) CONSULT WITH ATTORNEY REGARDING LITIGATION.**

**XI. RECONVENE REGULAR COMMISSION MEETING at 7: 56 pm.**

**CONNECT OREGON III PROJECTS CONTINUED:**

At 7:12 the discussion was interrupted for the Executive Session phone call from the attorney. After returning consensus was to proceed as follows:

<u>Category</u>	<u>Description</u>	<u>Cost</u>
Aviation:		
1.	Lower minimum flight ceiling	\$2,000,000
2.	Hangar & Shop for SeaPort plan	\$ 500,000
Rail:		
1.	Spur/Siding for N. Tongue Point site.	\$1,500,000
Marine:		
1.	Astoria Warehouse Crane & Trailer Chases	\$3,000,000
2.	Stand by tug service	\$1,000,000
3.	Pier 3 Upgrades`	\$1,200,000
	Deleted – Stern Anchor	\$1,000,000
	Deleted – Utility Extension	\$1,000,000

**XII. NORTH TONGUE POINT OPEN HOUSE**

Discussion involved when to have the Open House, the date settled on was the first Saturday in December, Dec. 5.

## **X.B. DSL NEW DEFINITIONS**

Jack Crider explained the new DSL wording to Division 82, Part 141-082-0004 (21). “Fish Processing Facility” is replaced with (57) “Processing Facility”, “replacing the existing definition as a structure **or vessel** where cleaning, freezing, canning, preserving and storing of fish, etc.” This would allow fishing boats to lease submerged lands or anchor in harbors to do their own processing and unloading of fish rather than do business at local land processors.

Andrew Bornstein presented a draft letter to Ms. Liz Martino, Rules Coordinator, at DSL and asked for the Port to support urging DSL to keep the existing definition and not add “vessel”. The new ruling would allow vessels to anchor in the harbor or moorage and buy fish thereby creating competition from land fish buyers who invest in the community by paying rent, taxes and hiring local employees. There are four Port tenant fish buyers.

Jay Bornstein noted that he has invested \$8 million in his shore based fish buying business and sees disadvantages for the Port to support taking away shore base infrastructure. The problem goes all down the coast. Another problem is that these vessels are not monitored.

Commissioner Hess moved to authorize Bill Hunsinger to sign the letter to Liz Martin at DSL opposing the new ruling verbiage, seconded by Commissioner Bland.

Discussion:

Commissioner Hess agreed with Andrew Bornstein, employees are paid percentage of fish bought, believe change of terminology is not good, and that no property taxes are paid to support the community.

Andrew Bornstein said they use onboard water, offer 2 months employment, do not follow environmental rules and threaten existing shore tenants.

Commissioner Pfund wants to protect client base, comparable to Seaside allowing transient vendors to sell all summer off the streets.

VOTE: motion was unanimously approved.

## **XIII. DISCUSSION ITEMS**

### **A. East Mooring Basin Causeway Inspection**

Jack Crider reported that ODOT has completed the inspection with newer technology. The full report has not been received; but it is not good and there are huge concerns. May need to block the causeway allowing traffic to drive to the breakwater and park there, not park on the causeway. Tenants can stop to unload trucks and then move to the breakwater. The Port will be putting up barricades and no parking signs.

President Hunsinger advised on first offence to leave a notice, then tow on second offence.

XIV. **COMMISSION** – nothing reported

A. Reports

B. Concerns/Comments

XV. **OTHER BUSINESS** -none

XVI. **PUBLIC COMMENT** - none

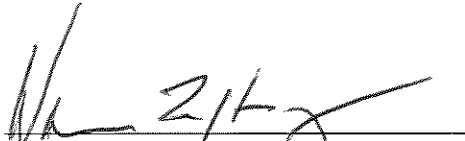
XVII. **ACTION ITEMS** - none

XVIII. **ADJOURN** at 8:30 pm

Submitted by Janet Farstad

**APPROVED**

**ATTEST:**

  
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William L. Hunsinger, President

  
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Daniel Hess, Secretary