

OREGON INTERNATIONAL PORT OF COOS BAY
Coos Bay, Oregon
REGULAR COMMISSION MEETING
Thursday, February 19, 2009
7:00 p.m.

Port Commission Chambers, 125 Central Ave, Suite 230, Coos Bay OR 97420

ATTENDANCE

Commission: David Kronsteiner, President; Caddy McKeown, Vice President; Dan Smith, Secretary; Jerry Hampel, Commissioner; Brady Scott, Absent

Staff: Jeffrey Bishop, Executive Director; Mike Gaul, Deputy Executive Director; Martin Callery, Director of Communications and Freight Mobility; Donna Nichols, Director of Finance and Administration; Aaron Simons, Marina Facilities Manager; Mike Stebbins Port Counsel; Andrea Wall, Executive Assistant

Media & Guests: Steve Pickering; Denise Lee, SHN Engineering; Steve Lee, CBNB Water Board; Ken Messerle, Coast Consulting; Butch Schroeder; Marvin Caldera; Don Peabody

1. The meeting was called to order at 7:03 p.m.
2. The President asked the audience to introduce themselves.
3. **CONSENT ITEMS:**
 - A. Minutes: January 22, 2009 Regular Commission Meeting and February 9, 2009 Special Meeting Minutes
 - B. Approval of January/February 09 invoices totaling \$450,574.81.

Upon a motion by Commissioner McKeown (second by Commissioner Smith) the Board of Commissioners approved the January 22, 2009 Meeting Minutes, February 9, 2009 Special Meeting Minutes and the January/February 09 invoices totaling \$ 450,574.81.

4. **MANAGEMENT REPORTS:**
 - A. **Executive Director: Jeffrey Bishop - Absent**
 - B. **Deputy Executive Director: Michael Gaul**

Mr. Gaul gave a presentation last night to the Port Commission of the Port of Umpqua on the Marine Reserves. At that meeting, the Commission asked Mike to pass on their thanks to the Port of Coos Bay Commission for the work they have done and are doing on the rail situation.

- C. **Director of Communications and Freight Mobility:**

Mr. Callery has been working on rail issues and meeting with shippers on the line from Danebo to Vaughn. He has been talking to Oregon Bridge delivery partners on a project on the highway which is

an overpass to the Coos Bay Line. The partners had a preliminary meeting with CORP that Martin was unable to attend. Mr. Callery and Dan Lovelady are going to meet with them in Prineville to find out what the scope of that project is and to make sure that any clearance issues are dealt with.

Mr. Callery is the Vice Chair of the Oregon Trade Advisory Committee and he gave the committee's report in Salem yesterday. The Legislature had just come off of the session of Federal Stimulus Money projects of Oregon Department of Transportation. They were asking ODOT staff to get with the Legislative leadership and other interested parties overlooking ports and railroads and directed staff to look at ConnectOregon I & II to see if there were some marine, rail and communications projects that could qualify for the discretionary funding.

Commissioner Smith asked if Hwy 126 was a rehab of the trestle. Mr. Callery said no, just west of Eugene is a place where the highway crosses the rail line and there is an overpass. That overpass is one of the failing bridges; it is old and probably has outlived its life. ODOT is trying to figure out if they have to rehab it or construct a new one in its place. Mr. Callery's committee wants to make sure there are no dimensional issues with future rail.

D. Director of Finance and Administration: Donna Nichols

Ms Nichols did not have anything to add to her report and there were no questions for her.

E. Facilities Manager: Aaron Simons

Mr. Simons added to his report that if nothing else comes up, the F-Dock project should be finished by the end of next week.

Commissioner Hampel asked Aaron what was happening on the Ice Dock. Mr. Simons said the parts he ordered should be received by the end of February and the work should start the first of March.

5. **PUBLIC COMMENT:** There was no public comment.

6. **ACTION ITEMS/REPORTS:**

A. Rail Engineer Selection - This item was pulled from the agenda as staff was not ready to talk about it yet.

B. Budget Calendar & Budget Officer Selection

A requirement of the budget process is Commission appointment of a Budget Officer for the new fiscal year budget. In the past the Port's Executive Director has served in this capacity because of his experience.

The Budget Officer presents the budget message and the draft budget document for consideration and discussion by the budget's committee. The Budget Calendar must also be approved for scheduling and publishing of legal notices.

Upon a motion by Commissioner McKeown (second by Commissioner Hampel) the Board of Commissioners approved the appointment of the Executive Director as Budget Officer for the FY09/10 budget process and approved the proposed Budget Calendar.

C. Central Ave Street Vacation

The City of Coos Bay is proposing to vacate Central Ave, between Bayshore Drive (Hwy 101 N) and Broadway (HWY 101 S), abutting Blocks 1 & 2 in the E.B. Dern Co. 2nd Addition to Marshfield, found in Section 26CD, Township 25, Range 13 West of the Willamette Meridian, Coos County, Oregon.

ORS 271.190 provides the Port Commission with authority to review and approve all street vacations within 5,000 feet of the harbor line. Port policy 13.6 narrowed this requirement to within 1,000 feet from the established harbor line in the Coos Bay estuary. Staff believes that vacation of the above referenced street will not hinder access to future or existing waterfront activities.

Upon a motion by Commissioner Smith (second by Commissioner Hampel) the Board of Commissioners approved the City of Coos Bay's proposed street vacation of Central Avenue between Bayshore Drive (Hwy 101 N) and Broadway (HWY 101 S), abutting Blocks 1 & 2 in the E.B. Dern Co. 2nd Addition to Marshfield, found in Section 26CD, Township 25, Range 13 West of the Willamette Meridian, Coos County, Oregon.

Commissioner Smith asked if this was for additional parking. Mr. Gaul said that it was for the remodel of the visitor's center.

D. Charleston Advisory Committee Board Appointments

This committee was established on September 17, 2003 by the Board of Commissioners to serve in an advisory capacity to the Port Commission to develop strategies and guidelines for various projects and issues concerning the Charleston Marina Complex.

The function of the committee includes but is not limited to:

- Review of proposed projects within or affecting the Charleston Marina, RV Park and Shipyard.
- Review and monitor project progress.
- Monitor and make recommendations to the Port Commission regarding various issues.

Any recommendation or proposals submitted by the committee shall be considered in an advisory nature and shall be given due consideration by the Commission for feasibility and implementation.

Four of the committee terms expire on February 28, 2009. One represents lessees; one represents commercial fishing; one South Sough; and one recreational boating. The Marine lessee position is currently held by Dan Morris, owner of Basin Tackle; the Commercial Fishing position is currently held by Rayburn "Punch" Guerin; the South Slough position is held by Mike Graybill. All of those people are being recommended for re-appointment to an additional two-year term. The recreational boating position, currently held by Al Schaefer, is being changed to a position representing the Shipyard lessees for a more equitable representation on this committee. The appointment of Ray Cox of

Giddings Boatworks is recommended for a two-year term. Commissioner Hampel serves as the Port Commission representative to the committee.

If staff recommendations are approved, the make-up of the committee will be:

- Two positions representing commercial fishing.
- Two positions representing recreational boating.
- Two positions representing Marina Complex Lessees.
- One position representing the South Slough.
- One position representing the Public-at-large.

Upon a motion by Commissioner McKeown (second by Commissioner Smith) the Board of Commissioners approved the three re-appointments, Dan Morris, Rayburn "Punch" Guerin and Mike Graybill and one new appointment of Ray Cox to the Charleston Advisory Committee.

Commissioner McKeown asked Mr. Gaul to pass on the Commission's thanks and appreciation for their willingness to serve.

E. Technical Advisory Board Appointment

The Port's Technical Advisory Committee was established by Ordinance No. 129 in February 1991 for the purpose of advising the Port Commission and staff on various activities related to leases and deeds and compliance with Federal State and local environmental laws and regulations. The committee members represent environmental protection, industrial operations, science, tourism and one member serving in a "citizen-at-large" capacity. Position 4 representing Tourism has been vacated with the retirement and unavailability of Jon Richards. This appointment will be a 4-year term commencing March 1, 2009.

Lucinda DiNovo, Sales Manager for the Mill Casino & Hotel, is very involved in the area's tourism industry and has expressed her interest in the position. Staff is recommending her appointment.

Upon a motion by Commissioner Smith, (second by Commissioner McKeown), the Board of Commissioners approved the appointment of Lucinda DiNovo to the Technical Advisory Committee, Position No.4 representing the Tourism Industry.

F. OIMB Lease Addendum

In April 1982, the Oregon International Port of Coos Bay and the University of Oregon entered into a long-term no cost ground lease. The parcel contained 8,120 square feet at the Charleston Marina. The purpose of the lease was to provide for a salmon release program, moor research boats and to provide a public viewing display.

The Port has partnered with the Oregon Institute of Marine Biology through the Oregon Solutions project to create the Charleston Marine Life Center. It will be a small museum and aquarium for public education and outreach. The initial engineering has been completed for the remodel of the existing structure. There is a need to enlarge the lease footprint by 1,535 square feet to accommodate entrance and landscaping for the building.

Upon a motion by Commissioner Hampel (second by Commissioner McKeown) the Board of Commissioners approved the ground lease addendum to increase the lease footprint by an additional 1,535 square feet.

G. Basin Café Assignment

At the September 18, 2008 Port Commission meeting, the Board approved a long-term lease agreement between the Port of Coos Bay and Gary Warren for the Basin Café. The Commission also authorized the lease assignment from Gary Warren to Jon and Helen Goudeau. Mr. & Mrs. Goudeau are now requesting the lease be assigned to the Basin Café and Lounge, LLC. Because of the nature of a Limited Liability Corporation, Port Counsel is recommending a letter of "Personal Guaranty" from Mr. & Mrs. Goudeau as a condition of lease assignment to better protect the Port. The Port's legal counsel has drawn up the document and it has been completed by Mr. & Mrs. Goudeau.

Upon a motion by Commissioner Hampel (second by Commissioner McKeown) the Board of Commissioners approved the lease assignment from Jon and Helen Goudeau to the Basin Café and Lounge, LLC conditioned on the execution of the letter of Personal Guaranty.

7. OTHER:

8. INFORMATION ITEMS:

- A. Certificate of Appreciation - Coos River STEP
- B. Executive Appointments

9. COMMISSION COMMENTS:

The President Kronsteiner wanted to personally thank Commissioners McKeown, Smith and Hampel for accepting re-appointments to their Commission.

10. NEXT MEETING DATE -Thursday, March 19, 2009

11. ADJOURN: 7:23 pm