

OREGON INTERNATIONAL PORT OF COOS BAY
Coos Bay, Oregon
REGULAR COMMISSION MEETING
11:00 a.m., Tuesday, August 20, 2024

Port Commission Chambers, 125 Central Avenue, Suite 230, Coos Bay, Oregon 97420

ATTENDANCE

Commission:

Brianna Hanson, President; Kyle Stevens, Vice President; and Kyle ViksneHill, Treasurer. Nick Edwards, Secretary, was excused.

Staff:

Lanelle Comstock, Chief Executive Officer; Megan Richardson, Director of Finance and Accounting; Matt Friesen, Director of External Affairs; Rick Adamek, Director of Asset Management; Ray Dwire, Charleston Marina Manager; and Krystal Karcher, Human Resources Generalist.

Media & Guests:

William Macdonald; Dean Lundie; Lou Leberti; and Christine Moffitt.

1. CALL MEETING TO ORDER

President Hanson called the meeting to order at 11:05 a.m.

2. INTRODUCTION OF GUESTS AND PORT STAFF

3. PUBLIC COMMENT

A. Christine Moffitt thanked the Port for the opportunity to provide remarks and questions about the material posted in regard to the Commission meetings hosted during the summer period. She stated that many people are looking forward to an opportunity to meet with the Port's newly appointed contractor, Melissa Cribbins, as a representative of the Port for the Pacific Coast Intermodal Project. This allocation from the State to the Port will allow an opportunity for her to be directly involved and provide community engagement. Ms. Moffitt also stated that she is particularly interested in this process of community engagement and any schedules obtained up to this point.

Ms. Moffitt stated that the draft joint permit, the 408 application was submitted to the Portland District on August 9, 2024, and according to the report in reference there were three separate applications submitted: (1) the channel deepening application, (2) the rail improvements, and (3) the terminal and railyard. Ms. Moffitt asked if the rail improvements and terminal applications are available for public review. She stated the only documents available are related to the channel deepening project. Ms. Moffitt also asked if the rail improvements are part of the proposed railroad crossing elimination grant for Reedsport. Ms. Moffitt thanked the Port for transparency and providing the documents for review and stated she is interested in obtaining more details for the rail and terminal yard permitting and the opportunity to visit with Melissa Cribbins.

President Hanson assured Ms. Moffitt that there will be a schedule posted for public engagement once Ms. Cribbins makes it available. Ms. Comstock stated she will follow up with Mr. Dunning on the availability of the permit applications online. The report for the dredging study was recently posted on the website.

B. Dean Lundie came to the meeting to accuse the Coos Bay Rail Line of three criminal acts. Mr. Lundie stated the issues have been in discussion with the Coos Bay Rail Line for one year. The first accusation is for damaging private property. Mr. Lundie stated the work on the Siuslaw River railroad trestle done a year ago resulted in crushing a couple of his docks and blocking his launch ramp. The concrete docks at the Cushman Store and Marina were crushed by the barges the Rail Line used. Mr. Lundie stated he does not understand how the Rail Line obtained permission to complete work in the middle of fishing season. Mr. Lundie stated that Billeter Marine was going to install his pilings upriver, however, they were unable to complete the work in a timely manner due to the Rail Line being unable to open the Swing Span Bridge. Mr. Lundie stated that the Swing Span Bridge is still not operable and is illegal to put a fixed object across a navigable waterway. Mr. Lundie stated in the upper half of the Siuslaw River there is an anchored vessel that has waited 10 years for the Swing Span Bridge to be operable.

The second accusation Mr. Lundie made against the Coos Bay Rail Line is dumping paint into the river. Mr. Lundie stated that the Rail Line placed signs on his property stating, “don’t eat the fish - poisonous paint in the river,” and allowed the lead and zinc in the paint to rain down into the water from the bridge.

The third accusation Mr. Lundie made against the Coos Bay Rail Line is blocking public property by placing “no trespassing” signs on property that does not belong to the railroad.

Mr. Lundie made a complaint that his vessel had been stripped of parts while it was being stored at the Charleston Shipyard and believes the Port should be held responsible for ensuring the safety of his vessel due to the cost required to store said vessel.

C. Lou Leberti is on the Charleston Advisory Committee and stated he would like to see the Port Commission take a larger interest in the Charleston area. He stated that regular customers no longer stay in Charleston due to the RV Park and Marina not being serviced properly, i.e. the grass is overgrown, garbage is not picked up, signs are not posted. Mr. Leberti also stated that he does not appreciate customers being locked out of all the Port buildings in the Charleston area or the lack of customer service being provided.

Commissioner Stevens asked Mr. Leberti to clarify what he meant by customers being locked out of all Port buildings. Mr. Leberti responded that the Charleston main office remains locked, and customers must do their business while standing outside in the weather. Mr. Leberti also stated that the Port office in downtown Coos Bay is locked and people must knock on the door to be let in. Commissioner Stevens stated he will be attending the next Charleston Advisory Meeting.

D. William Macdonald provided written testimony; attached to end of minutes.

4. **CONSENT ITEMS**

- A. Approval of June 14, 2024 Special Commission Meeting Minutes
- B. Approval of June 18, 2024 Regular Commission Meeting Minutes
- C. Approval of June 27, 2024 Special Commission Meeting Minutes
- D. Approval of July 30, 2024 Special Commission Meeting Minutes
- E. Approval of August 8, 2024 Special Commission Meeting Minutes
- F. Approval of June & July Invoices
- G. Approval of June & July Contracts Awarded
- H. Approval of Lease Renewals & Short Term Lease Agreements
- I. Approval of Community Giving Request

Upon a motion by Commissioner Stevens (second by Commissioner ViksneHill), the Board of Commissioners voted to approve the June 14, 2024 Special Commission Meeting Minutes, June 18, 2024 Regular Commission Meeting Minutes, June 27, 2024 Special Commission Meeting Minutes, July 30, 2024 Special Commission Meeting Minutes, August 8, 2024 Special Commission Meeting Minutes, June and July Invoices, June and July Contracts Awarded, Lease Renewals and Short Term Lease Agreements, and Community Giving Request. **Motion Passed Unanimously.** (Ayes: Hanson, Stevens, and ViksneHill. Nays: None. Absent: Edwards.).

5. **MANAGEMENT REPORTS**

All Management Reports were included within the Meeting Packet.

6. **ACTION ITEMS/REPORTS**

A. Port Representative of CBEMP Steering Committee

The Coos Bay Estuary Joint Steering Committee is a committee developed as part of the ongoing efforts to maintain and enhance the Coos Bay Estuary Management Plan (CBEMP). As required by the CBEMP, each City, Port representative, and Tribal representative shall be appointed by their organizations/governments. The requirements for the committee members are as follows:

- a. One elected official or their appointed representative from the City of Coos Bay and one elected official or their appointed representative from the City of North Bend. Each city shall send an appointment order to the Board of Commissioners for formal appointment.
- b. One representative from the International Port of Coos Bay. The Port of Coos Bay shall provide an appointment order to the Board of Commissioners for formal appointment.
- c. One Tribal representative (from each Tribe) appointed by the Tribal Council of each Tribal council.
- d. The Chair of the Coos Estuary Citizen Advisory Committee.
- e. The Chair of the Coos Estuary Technical Advisory Committee.

Mike Dunning has extensive knowledge of the CBEMP and also participated in the Phase I revisions of the plan as the Port representative for the Partnership for Coastal Watersheds.

Upon a motion by Commissioner ViksneHill (second by Commissioner Stevens), the Board of Commissioners motioned to appoint Mike Dunning as the Port representative to the Coos Bay Estuary Joint Steering Committee. **Motion Passed Unanimously.** (Ayes: Hanson, Stevens, and ViksneHill. Nays: None. Absent: Edwards.).

B. Suite 350 Lease Agreement with Michelle Caspary, CPA

Michelle Caspary, CPA, and the Oregon International Port of Coos Bay signed a one-year Commercial Lease Agreement, for Michelle Caspary to lease Suite 350 in the Hub Building, beginning July 1, 2024 to use as an office for her CPA business.

Suite 350 is approximately 200 square feet of office space and includes 36 square feet of common space (hallways, shared restrooms, etc.). The negotiated rate for the one-year agreement is \$400.00 per month. If the lease is renewed, the rent will incur a CPI increase.

Upon a motion by Commissioner Stevens (second by Commissioner ViksneHill), the Board of Commissioners motioned to ratify the execution of a one-year lease agreement with Michelle Caspary to lease Suite 350 in the Hub Building. **Motion Passed Unanimously.** (Ayes: Hanson, Stevens, and ViksneHill. Nays: None. Absent: Edwards.).

C. Building 33 Lease Agreement with Michelle Ambrosini (Post Office)

Charleston Marina Postmaster Thomas Mitchell retired at the beginning of July, vacating the Charleston Marina Post Office. The Charleston Marina Post Office operation is privately contracted by the US Postal Service and the building lease is held by the private contractor.

Michelle Ambrosini was awarded the contract by the US Postal Service to operate the Charleston Marina Post Office upon Tom's retirement. Upon award, Michelle Ambrosini and the Oregon International Port of Coos Bay signed a one-year Commercial Lease Agreement for Michelle Ambrosini to lease Building 33, also known as the Post Office, in the Charleston Marina.

Building 33 is approximately 646 square feet. The negotiated rate for the one-year agreement is \$478.00 per month.

The term of this lease commenced July 17, 2024 and continues for one year, terminating July 31, 2025. If the lease is not in default when the renewal term is to commence, Tenant shall have the option to renew this lease for four (4) additional one (1) year terms, with CPI increases each July 1.

Upon a motion by Commissioner Stevens (second by Commissioner ViksneHill), the Board of Commissioners motioned to ratify the execution of a one-year lease agreement with Michelle Ambrosini to lease Building 33 also known as the Post Office in the Charleston Marina. **Motion Passed Unanimously.** (Ayes: Hanson, Stevens, and ViksneHill. Nays: None. Absent: Edwards.).

D. Disposal of Surplus Locomotives via Public Auction

In 2018 & 2019, the Port of Coos Bay purchased multiple locomotives from Western Rail, Inc. Three of the locomotives purchased were:

Locomotive No.	Make & Model	Purchase Price
1916	1964 General Motors EMD GP 38-3	\$348,450
2018	General Motors EMD GP 38-3	\$317,210
2020	General Motors EMD GP 38-3	\$380,950

These locomotives are currently not being used and are in need of significant repair. In the marketplace, these locomotive models are being purchased for conversions.

Per Port Policy 6.6: Disposition of Surplus Personal Property, to dispose of surplus personal property greater than \$50,000, the Chief Executive Officer shall make a recommendation to the Board of Commissioners, acting as the Local Contract Review Board, identifying the property determined to be surplus and the means of disposal. Section 6.4.2 of the policy states that surplus property greater than \$50,000 shall be sold at public auction.

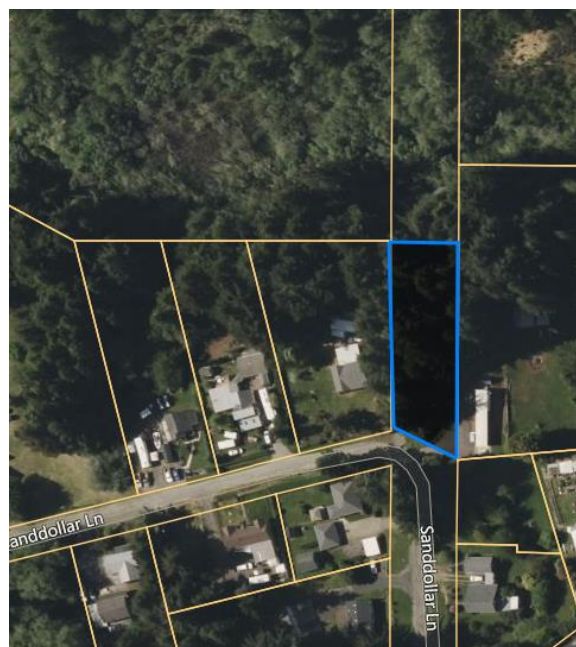
Included in the meeting packet was a draft version of the Notice of Auction to sell the three surplus locomotives via a sealed bid process. Staff recommends immediately soliciting the notice for Tuesday, October 1, allowing ample time for interested bidders to inspect and view the locomotives and submit sealed bids. A reserve will be placed for each locomotive. The locomotives will be sold as is, without any warranty, either express or implied.

Upon a motion by Commissioner Stevens (second by Commissioner ViksneHill), the Board of Commissioners motioned to authorize Port Chief Executive Officer to dispose of three surplus locomotives via a sealed bid public auction and award to the highest bidders. **Motion Passed Unanimously.** (Ayes: Hanson, Stevens, and ViksneHill. Nays: None. Absent: Edwards.).

E. Sand Dollar Lane Street Vacation

Per Oregon Revised Statutes 271.180 and 271.190, municipalities are required to seek approval from Ports and other adjoining property owners for proposed vacation of streets, alleys, and common public places within 5,000 feet of the harbor or pier headlines of the Port.

Roy Manry and Julie Manry of 90821 and 90823 Sand Dollar Lane, Coos Bay are requesting the vacation of the southern portion of South Barview Road. Mr. and Mrs. Manry own both tax lots on each side of the section of Sand Dollar Lane that is being requested for vacation. The petition states “land maintenance” as the reason for the vacation petition.



Port staff have reviewed the area of the proposed vacation and believe the street right of way vacation action will not create a negative impact on Port activities, or the Port owned Barview Dredge disposal site.

Prior to Coos County taking any formal action on the proposed right-of-way, the Port's Board of Commissioners must approve the vacation.

Upon a motion by Commissioner Stevens (second by Commissioner ViksneHill), the Board of Commissioners motioned to approve the request for consent from Coos County Planning Department to vacate the southern portion of South Barview Road to the adjacent property owners. **Motion Passed Unanimously.** (Ayes: Hanson, Stevens, and ViksneHill. Nays: None. Absent: Edwards.).

7. **OTHER**

8. **COMMISSION COMMENTS**

President Hanson welcomed Lanelle Comstock as the new formally appointed CEO of the Port.

9. **NEXT MEETING DATE** – Thursday, September 05, 2024, 10:00 a.m.

10. **ADJOURN**

President Hanson adjourned the meeting at 11:37 a.m. and entered into Executive Session to:

- (d) conduct deliberations with person designated by the governing body to carry on labor negotiations;
- (e) conduct deliberations with persons designated by the governing body to negotiate real property transactions; and
- (f) consider information or records that are exempt by law from public inspection.