

**OREGON INTERNATIONAL PORT OF COOS BAY**  
**Coos Bay, Oregon**  
**REGULAR COMMISSION MEETING**  
**6:30 p.m., Monday, December 16, 2019**

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

**ATTENDANCE**

**Commission:**

David Kronsteiner, President; Eric Farm, Vice President; Brianna Hanson, Treasurer; and Bob Garcia, Secretary.

**Staff:**

John Burns, Chief Executive Officer; Lanelle Comstock, Chief Administrative Officer; Mike Dunning, Director of Maritime Operations; Patrick Kerr, Director of Rail Operations; Brandon Collura, Charleston Harbormaster; Margaret Barber, Director of External Affairs; Fiona Bai, Marketing Media Specialist; Jake Jacobs, Director of Infrastructure Support Services; Krystal Moffett, Administrative Assistant; and Mike Stebbins, Port Legal Counsel.

**Media & Guests:**

Maeora Mosieur, Tribal One.

**1. CALL MEETING TO ORDER**

President Kronsteiner called the meeting to order at 6:30 p.m.

**2. INTRODUCTION OF GUESTS AND PORT STAFF**

**3. PUBLIC COMMENT**

**4. CONSENT ITEMS**

- A. Approval of October 21, 2019 Regular Commission Meeting Minutes
- B. Approval of October and November Invoices
- C. Approval of October and November Contracts Awarded

Upon a motion by Commissioner Garcia (second by Commissioner Farm), the Board of Commissioners voted to approve the October 21, 2019 Regular Commission Meeting Minutes, October and November Invoices, and October and November Contracts Awarded. **Motion Passed.**

**5. MANAGEMENT REPORTS**

All Management Reports were included within the Meeting Packet.

## 6. ACTION ITEMS/REPORTS

### A. **2019Res16: Amendments to Port Personnel Policy 14.9**

During the 2019 Oregon Legislative Session, Governor Kate Brown signed Senate Bill 479, requiring all public employers to have a written workplace harassment and investigation policy in place with specific provisions by January 1, 2020.

The Port's existing workplace harassment policy, Port Personnel Policy Section 14.9: Non-Discrimination and Anti-Harassment/Violence, was originally approved by the Board of Commissioners in March 2007 and most recently amended in April 2017 to reflect best practices and changes in laws.

Following a template policy provided by HR Answers (an HR consulting firm), Section 14.9 has once again been revised to meet the requirements as outlined in Oregon Senate Bill 479 and has been reviewed and edited by Port Staff and Port's legal counsel before being presented to the Port Commission. The red lined tracked version of the changes, as well as a clean draft version of the recommended revisions, were included within the packet.

Upon a motion by Commissioner Farm (second by Commissioner Hanson), the Board of Commissioners motioned to approve Resolution 2019Res16 authorizing the amendments to Port Policy Manual Chapter 14: Personnel Policy Section 14.9: Non-Discrimination and Anti-Harassment/Violence to reflect the new policy requirements as outlined in Oregon Senate Bill 479. **Motion Passed.**

### B. **2019Res17: Renaming of Port Policy Manual Chapter 10**

As the Port acquires operating equipment which may require policies regarding safety, care, and use, Port Staff found it necessary to rename Chapter 10 of the Port Policy Manual from "Vehicles/ Vehicle Use" to "Vehicles and Equipment".

Upon a motion by Commissioner Farm (second by Commissioner Hanson), the Board of Commissioners motioned to approve Resolution 2019Res17 renaming Port Policy Manual Chapter 10 from "Vehicles/ Vehicle Use" to "Vehicles and Equipment". **Motion Passed.**

### C. **2019Res18: Adoption of Unmanned Aerial System Management Policy**

Unmanned Aerial Systems (UAS) are a rapidly growing and important part of many types of organizations, including ports. Whether inspecting infrastructure, capturing marketing media or mapping geography, UAS are an effective, safe and affordable way to improve an organization's capabilities.

A UAS policy gives structure to the management of the UAS activity. The overall purpose is to promote safe, efficient and lawful operation of UAS by authorized Port employees and third-party operators. Safety for all parties involved with commercial UAS operations is the number one priority. In addition, not having a UAS policy for commercial drone operations can expose the Port to safety and liability risks.

The policy establishes a standard process and lists out roles and responsibilities, providing clarity on UAS related regulations, transparency, accountability, and ability to share best practices across the organization. It also outlines an internal process for internal UAS requests, equipment care, safety requirements, and training. The last part of the policy addresses external stakeholders ensuring privacy protection and addressing regulations for third party UAS operations on or above Port property.

As UAS operations continue to grow, an established policy gives the Port and its stakeholders protection as well as serving as a starting point to address the inevitable changing Oregon Department of Aviation and Federal Aviation Administration regulations on this matter.

Policy 10.3 has been reviewed and edited by Port Staff and Port’s legal counsel before being presented to the Port Commission. The draft policy was included within the packet.

Upon a motion by Commissioner Garcia (second by Commissioner Farm), the Board of Commissioners motioned to approve Resolution 2019Res18 adopting Port Policy 10.3: Unmanned Aerial System (UAS) Management. **Motion Passed.**

**D. 2019Res19: 2020 RV Park Rates**

As part of the annual budget process, the Marina Complex rates are reviewed each year and may be adjusted by the Consumer Price Index (CPI) and/or by market analysis. Each year staff surveys the rates and schedules of comparable facilities for comparisons.

RV Park rates are evaluated in December of each year to better serve our summer customers. This ensures that our long-term summer customers do not experience an unknown rate adjustment mid-season.

Port Staff compared similar RV Parks in the region and found the Port’s daily, weekly and monthly rates continue to be below the market average. Port Staff recommends a variable rate adjustment of 3-5% per category rounded to the nearest whole dollar based on market analysis.

The proposed changes are set forth in the table below:

Rate Type	2019 Rates	Recommended for 2020
Daily - Back In	\$37.00 reg. \$39.00 deluxe	\$39.00 reg. / \$41.00 deluxe
Daily - Pull Thru	\$41.00	\$44.00
Weekly - Back In	\$209.00 reg. / \$221.00 deluxe	\$215.00 reg. / \$228.00 deluxe
Weekly - Pull Thru	\$234.00	\$241.00
Monthly - Back In	\$546.00 reg. / \$577.00 deluxe	\$573.00 reg. / \$606.00 deluxe
Monthly - Pull Thru	\$608.00	\$638.00
Yurts - Daily	\$53.00	\$55.00
Yurts - Weekly	\$252.00	\$260.00

Pursuant to Port Policy, the Rate Schedule must be modified by resolution of the Port Commission. Upon Commission approval of the resolution, the revised Charleston Marina 2019/20 Rate Schedule, which was included in the meeting packet, will be republished with an effective date of January 1, 2020.

Commissioner Hanson asked how far from market value the rates are currently. Brandon Collura stated the daily rate is close, while other areas are about 3-10% behind. Weekly rates are anywhere from 3-15% lower than market, and monthlies are as much as 20-25% percent lower than other neighboring facilities, such as the Mill Casino RV Park. An aggressive rate increase would effect the customer base in a negative way, and is not recommended.

Upon a motion by Commissioner Farm (second by Commissioner Hanson), the Board of Commissioners motioned to approve Resolution 2019Res19 revising the Charleston Marina 2019/20 Rate Schedule for the RV Park. **Motion Passed.**

#### **E. Bandon Pacific Dock Lease**

Bandon Pacific has leased the Lazio Dock in Charleston for the past 30 years. The existing lease is set to expire December 31, 2019. Port staff worked with Bandon Pacific to conduct market research to determine a new lease rental rate reflective of the market and value of the dock which will represent a 40% increase in annual rental payments. The new lease agreement has a one-year initial term, with nine one-year renewal terms. The new lease agreement requires that the Tenant be responsible for the maintenance of the dock system and the authorized dredge prism, as well as a portion of the cost to maintain Alaskan Packers Road.

Commissioner Garcia asked if the rates had been set for the 30 years of the previous lease. Margaret Barber stated the previous lease was set up differently, with an escalator that took effect every five years. The new agreement will include a CPI Adjustment each year. President Kronsteiner asked if there are specifics on the maintenance requirements for the dock and the road. Ms. Barber stated that Bandon Pacific will assume all maintenance responsibilities for the dock. Maintenance of the road will be shared by all tenants utilizing the road; Bandon Pacific's portion will be 20% based on their usage and position on the road. President Kronsteiner asked whether the dredge prism will be addressed on an annual basis. Ms. Barber stated that area doesn't need to be dredged each year, so it will be addressed when the time comes.

Upon a motion by Commissioner Farm (second by Commissioner Hanson), the Board of Commissioners motioned to provide conditional approval to enter into a new lease agreement with Bandon Pacific for the Lazio Dock in Charleston. **Motion Passed.**

#### **7. OTHER**

#### **8. COMMISSION COMMENTS**

#### **9. NEXT MEETING DATE – Tuesday, January 21, 2020 at 6:30 p.m.**

#### **10. ADJOURN**

President Kronsteiner adjourned the meeting at 6:44 p.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;
- (g) consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations;
- (h) consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed; and
- (j) carry on negotiations under ORS Chapter 293 with private persons or businesses regarding proposed acquisition, exchange or liquidation of public investments.