



AGENDA

Port of Bandon
 Regular Commission Meeting
 December 19, 2024, 5:30pm
 Bandon Public Library
 Bandon, OR and ZOOM
www.portofbandon.com/meetings
 for details

			PAGES
A.	Consent Calendar		
i.	November Minutes	Commissioners	A-C
B.	Presiding Officer and Commissioner Comments		
C.	Ordinances and Resolutions		
i.	Resolution 2024-03 Public Meeting Policy	Josh/Commissioners	1-14
ii.	Resolution 2024-04 Funding for Jetty Repairs	Jeff/Commissioners	15-16
D.	Public Contracts and Purchasing		
	Harbor Office Concrete Work Bid Solicit	Jeff/Commissioners	17
E.	Public Hearings		
F.	Port Managers Report		
i.	Review of Employee Manual	Jeff/Commissioners	Handout
ii.	Ramp Corrective Repair Completion Memo	Jeff/Commissioners	18-19
iii.	PNWA Mission to DC	Jeff/Commissioners	20
iv.	Strategic Planning	Jeff/Commissioners	21-26
G.	Port Staff Reports		
i.	Harbormaster	Shawn/Commissioners	Verbal
ii.	Events/Leases/Moorage	Josh/Commissioners	Verbal
H.	Executive Session		
I.	Other Misc Matters		
J.	Public Comment		
K.	Adjournment		
NOTES:			

Port of Bandon
Regular Commission Meeting
November 21, 2024, 5:00 pm
Bandon Public Library
Bandon, OR

Commissioners Present: Reg Pullen, Donny Goddard, Don Starbuck, Wayne Butler, and Rick Goche
Staff: Jeff Griffin - Port Manager, Josh Adamson – Port Specialist, Shawn Winchell – Harbormaster
Guests: John Towne, Lori Osborne

Commissioner Pullen opened the meeting at 5:00pm

Commissioner Pullen asked for a motion to approve the consent calendar. **A motion was made by Commissioner Butler. Commissioner Goddard seconded the motion. Motion passes unanimously.**

Griffin explained from last meeting that his quote of a bronze plaque was incorrect. Replacing the marina plaque, which matches the Port's original from 1983, would cost around \$3,000. Griffin asked Commissioners if they would still like to proceed in ordering a new plaque that would give the addition of the Port of Bandon Economic Development Fund and Bellingham Marine as contributors to the Marina Redevelopment Project. The Commissioners indicated approval.

The Port Employee Policy Manual was presented for review. The Port approved a small change in 2017, but a formal update had not been done since 2005. Special Districts of Oregon had provided districts with a template that the Port used and modified. Griffin presented two specific issues for Commission review. One policy considered if an employee while on Paid Leave Oregon would be responsible for covering benefit premiums and the other policy concerned weapons on premises by employees, customers, and vendors. After discussion **Commissioner Goche made a motion that in the event of paid leave by an employee, the Port of Bandon is to continue benefit coverage at the Port's expense. Commissioner Goddard seconded the motion. Motion passes unanimously.** The weapons language was changed to strike out vendors and customers and only apply to employees.

Griffin reviewed a 4th of July lease to the City of Bandon that was drafted by the Port's attorney. The lease gives the City access to Port owned property across the river to use for the traditional fireworks display. The lease holds the city liable for all damages and to work with the affected tribes for culturally sensitive areas. Griffin is asking for approval of the lease to be then sent to the City for their review before executing. Commissioner Goche had questions regarding section 16.2.3. Griffin will clarify with Port attorney.

Port Manager's Report:

Griffin reported that corrective work in the boat launch area was wrapped up on Tuesday. Ballard Construction was onsite for 3 weeks using grout to fill in gaps to pre-cast slabs. The work took place during the week, leaving one lane open on the ramp during weekends for boaters and the crab dock was accessible during the construction. Final reports will be sent to PND Engineering for 3rd party review.

Reps from the Oregon State Marine Board visited during the construction and were pleased. This finished work should grant the Port the remaining \$300,000 from Oregon Department of Fish and Wildlife and the Oregon Marine Board grant reimbursements.

Corrective work by West Coast Contractors for the marina was also addressed. This includes reinstalling the Pump N' Dump station and correcting some freeboard issues in some areas that are not to specs. Griffin is working with West Coast Contractors and Bellingham Marine to address the issues.

Griffin is working with port lobbyists to ensure that the jetty repair project is accounted for in the new Corps workplan. Projects and funding depend on Congress and if delayed could lose momentum. The major maintenance report on the jetties will be concluded by the end of the year.

Staff Report:

Winchell and staff are finished hanging Christmas lights to pair with the City and Greater Bandon's event "Night of 10,000 lights". Winchell was approached by Southern Coos Hospital who would like to use the picnic shelter on the boardwalk as a flu shot station during the "Night of 10,000 lights" and preceding a Nog Walk that is part of the event. Staff has finished turning over office spaces 2A and 2H that were recently vacated by the Coast Guard. A new sliding door was installed at Tony's Crab Shack. Staff has seen big logs in the marina from the storm surge and is working on removal. A staff member will be taking Paid Leave at the end of November as he and his wife are expecting to give birth.

Griffin reported on current changes to floodplain regulations. FEMA is currently conducting a National Environmental Policy Act (NEPA) evaluation of impacts associated with the Oregon NFIP-ESA Implementation Plan. FEMA developed this plan, in part, due to a Biological Opinion in 2016 from National Marine Fisheries Services. The Biological Opinion recommended specific measures for FEMA to take to avoid jeopardizing endangered species, including interim compliance measures. The release of the Final Implementation Plan (Plan) is anticipated by 2026, following the Record of Decision in the Environmental Impact Statement (EIS) process, then FEMA will fully implement the Plan in 2027. As the result of the Biological Opinion issued by the National Marine Fisheries Service, communities are required to demonstrate how floodplain development is compliant with the Endangered Species Act in Special Flood Hazard Areas. Changes are needed to protect the habitat of several species of fish and the Southern Resident killer whales to comply with the Endangered Species Act (ESA). FEMA outlined these changes in the draft Oregon NFIPESA Implementation Plan. The City of Bandon is currently working on adopting a Pre-Implementation Compliance Measure.

David Hisel, owner of Tony's Crab Shack is requesting Port approval of a 12' high by 16' wide crab sculpture to be made by Angela Possi, formally of Washed Ashore. The sculpture would possibly be funded by a grant. After Commission discussion, it was decided to advise David to seek City approval first. The Commissioners would like to see a better design and possible location change. Use of the sculpture footprint, if it moves forward, would be potentially subject to the lease.

Public Comment:

Lori advised of the City of Bandon Façade grant to apply for building signage at the Bandon Fisheries Building and brought up a desire for a heating system. Lori also asked about the parking lot improvement timeline and updates on possible roof improvements. Griffin responded the parking and landscaping projects is scheduled to start in January. Winchell discussed that he had contacted 2 contractors with different methods for a roof repair. Both informal estimates came in around \$140,000. Commission Goche asked about our current budget. Griffin advised the Port could assess the financial position during the next budget cycle to see what's available. The Port has exhausted all reserve funds with recent projects.

Meeting was adjourned at 6:25pm

Respectfully submitted by

Joshua Adamson



PORT OF BANDON

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RESOLUTION NO. 2024-03

A RESOLUTION PROVIDING UPDATES TO RULES AND PROCEDURES FOR PORT OF BANDON COMMISSION MEETINGS

WHEREAS, the duly elected commissioners of the Port of Bandon desire to conduct commission business in an orderly, businesslike, and efficient manner as well as provide adequate public input;

WHEREAS, on June 24, 2021, the Port's Board of Commissioners ("Commission") adopted Resolution No. 2021-04, adopting Rules and Procedures for Port of Bandon Commission Meetings; and

WHEREAS, the Port of Bandon has revised in partnership with Special Districts Association of Oregon and Special Districts Insurance Services an updated Public Meetings Policy to comply with ORS 192.610-192.705 and fulfill the requirements of the SDIS Best Practices Program.

NOW, THEREFORE, BE IT RESOLVED, that the Port of Bandon hereby adopts the following amended rules of procedure shown in Exhibit A

APPROVED AND ADOPTED by a majority vote of the Port of Bandon Board of Commissioners this 19th day of December, 2024.

APPROVED:

Reg Pullen, Commission President

ATTEST:

Donny Goddard, Vice President

EXHIBIT A

RULES AND PROCEDURES FOR PORT OF BANDON COMMISSION MEETINGS

SECTION 1. COMMISSION MEETINGS

(1) Application. This policy applies to all meetings of the Commissioners of the District, and to any meetings of subcommittees, or advisory groups appointed by the Commission if such subcommittees or advisory groups have a quorum requirement, take votes, and form recommendations as a body for presentation to the Commission.

~~(1)~~(2) Regular Council Meetings. The Commission shall hold one regular meeting on the fourth Thursday of each month, except in those cases where the Commission finds it necessary to designate another date due to conflicts. Regular meetings shall be convened one month at the Bandon Public Library in Bandon and on alternate months at City Hall in Coquille, Oregon at either 5:00pm or 5:30pm. As necessary, the Port of Bandon may designate another location or time for its regular meetings after adequate notice to the public. All meeting shall be held within the geographical boundaries of the District, except for training sessions held without any deliberations toward a decision. No meeting shall be held in any place where discrimination on the basis of race, creed, color, sex, age, national origin, or disability is practiced. All meetings shall be held in places accessible to the handicapped.

(3) Executive Sessions. Notice for a meeting called solely to hold an executive session under ORS 192.660 shall be given in the same manner as notice for regular, special, and emergency meetings set forth above. The notice shall indicate the general subject matter to be considered and set forth the statutory basis for calling the executive session. No final decisions are to be made during any executive session.

~~(2)~~ Executive sessions may be called by the President of the Commission, any two members of the Commission, or the Port Manager. Only Commission members, the Port Manager, and persons specifically invited by the Commission or the Port Manager shall be allowed to attend executive sessions. Representatives of recognized news media may attend executive sessions. Matters discussed in executive session shall be kept confidential unless required ~~to be discussed~~ by law, or until the reason for confidentiality no longer applies.

(4) Conduct of Executive Session. The President or other presiding officer shall announce the statutory authority for the executive session before going into closed session. Once the executive session has been convened, the President shall direct any representatives

EXHIBIT A

of the news media who are present not to report information from the executive session. Commissioners, staff, and other persons present shall not discuss or disclose executive session proceedings outside of the executive session without prior authorization of the Commission as a whole.

~~(3)~~(5) **Special Meetings.** Special Meetings may be called by the Commission President, by request of any three Commissioners, or by the Port Manager. Written notice of all special meetings shall be given at least Twenty-Four (24) hours in advance of the scheduled meeting. Notice shall be given to each Commissioner, the Port Manager, and the business office of at least one local newspaper, and any newspaper, radio or television station which has on file a written request for notice of special meetings, and may be delivered by mail, electronic facsimile (fax), email, or by personal delivery.

~~(4)~~(6) **Emergency Meetings.** Emergency Meetings may be called by the Commission President, by request of any three Commissioners, or by the Port Manager. An emergency exists where there are objective circumstances which, in the judgement of the person or persons calling the meeting, create a real and substantial risk of harm to the District which would be substantially increased if the Commissioners were to delay in order to give 24 hours' notice before conducting the meeting. In the case of an actual emergency, a meeting may be held upon such notice as is appropriate to the circumstances., but the minutes for such a meeting shall describe the emergency justifying less than 24-hours' notice. The convenience of Commissioners is not grounds for calling an emergency meeting. Only business related directly to the emergency shall be conducted. If the Commission determines that the reasons for calling the meeting are insufficient, the meeting shall be immediately adjourned.

(7) **Public Attendance.** Except for properly authorized executive sessions, all regular, special, and emergency meetings shall be open to the public.

(8) **Notice of Meetings.** Notice of the time, place, and principal subjects to be considered shall be given for all meetings. For regular or special meetings, the notice shall be in the form of an agenda, which shall be sent to all Board members, local media, and to all persons or other media representatives having requested notice in writing of every meeting. The agenda shall also be published or posted at the following locations within the District: www.portofbandon.com/meetings.

Written notice shall also be sent to any persons who the District knows may have a special interest in a particular action, unless such notification would be unduly burdensome or expensive. For emergency meetings, the District shall give as much notice as possible under the circumstances, but at minimum will contact local media to inform them of the meeting.

EXHIBIT A

(9) Meetings Held by Electronic Means. All meeting of the Commission, excluding executive sessions, must provide to members of the general public, to the extent reasonably possible, an opportunity to:

- a) Access and attend the meeting by telephone, video, or other electronic or virtual means;
- b) If in-person oral testimony is allowed, submit during the meeting oral testimony by telephone, video, or other electronic or virtual means; and
- c) If in-person written testimony is allowed, submit written testimony, including by electronic mail or other electronic means, so that the governing body is able to consider the submitted testimony in a timely manner.

(10) Interpreters for the Hearing Impaired. The District shall comply with ORS 192.630(5) regarding the provision of interpreters for the hearing impaired at Commission meetings, in accordance with the following rules:

- a) The District shall make a good faith effort to have an interpreter for hearing impaired persons provided at any regularly scheduled meeting if the person requesting the interpreter has given the District at least 48 hours' notice of the request, provided the name of the requester, the requester's sign language preference, and any other relevant information which the District may require. "Good faith efforts" shall include contacting the Oregon Disabilities Commission, or other state or local agencies that maintain a list of qualified interpreters.
- b) If a meeting is held upon less than 48 hours' notice, the District shall make reasonable efforts to have an interpreter present.
- c) The requirement for an interpreter does not apply to emergency meetings.
- d) The Chief Executive Officer shall be responsible for developing and maintaining a list of qualified interpreters and is responsible for arranging for attendance of an interpreter at any meeting for which an interpreter is requested.

(11) Minutes. The Commission shall keep minutes of all its meetings, including executive sessions, in accordance with the requirements of ORS 192.650. Minutes may be taken in writing or by audio recording, and shall include at least the following information:

- a) All members of the Commission present.
- b) All motions, proposals, resolutions, orders, ordinances and measures proposed and their disposition.
- c) Results of all votes, including the vote of each member by name.
- d) The substance of any discussion on any matter.
- e) A reference to any document discussed at the meeting.

EXHIBIT A

Minutes of executive sessions shall be kept separately from minutes of open meetings. If disclosure of material in the executive session minutes would be inconsistent with the purpose for which the executive session was held, the material may be withheld from disclosure. No executive session minutes may be disclosed without prior authorization of the Commission.

Retention. Any tape recordings or written minutes of public Commission meetings or executive sessions shall be retained by the District until such a time as their disposal is authorized by rule or specific authorization of the State Archivist pursuant to ORS 192.105.

Availability to the Public. Written minutes of public sessions shall be made available to the public within a reasonable time after the meeting.

~~(5)~~

SECTION 2. OFFICERS

(1) **Election of Officers.** Pursuant to ORS 777.140(2), the board shall choose from its members a president, vice president, treasurer, and secretary, who shall hold their offices until the next election of officers and who shall have the powers and perform the duties usual in such cases.

(2) **Presiding Officer.**

a) The Commission President shall preside at all regular, special, emergency, and executive sessions of the Commission and shall be the recognized head of the Port of Bandon for all ceremonial purposes. The President shall have all the duties and privileges of any Commissioner and shall not be denied any right or privilege by reason of his or her position as Presiding Officer.

b) In the President's absence from any Commission meeting, the Vice President shall act as the Presiding Officer. If both President and Vice-President are absent, the remaining members shall select a Commissioner to preside.

SECTION 3. EMPLOYEE DUTIES

(1) **Port Manager.** The Port Manager shall attend all meetings of the Commission unless excused by the Commission. He or she shall make recommendations to the Commission and shall take part in all discussions concerning the welfare of the Port.

EXHIBIT A

- (2) **Port Employees.** Any member of the Commission may request that the Port Manager direct any employee to attend regular, special, emergency, or executive session meetings.

SECTION 4. DECORUM AND ORDER

- (1) **Presiding Officer.** The President or other presiding officer at any Commission meeting shall have full authority to conduct the meeting. The Presiding Officer shall preserve decorum and decide all points of order and is empowered to call for indefinite recess as needed. Any decision of the presiding officer at the meeting may be overridden by a majority vote of the Commission, subject to appeal. Meetings shall be conducted in such a manner as to provide a full and fair opportunity for discussion of the issues in an efficient and timely manner. ~~by the remaining members of the Commission, and is empowered to call for indefinite recess as needed.~~
- (2) **Commissioners.** During Commission meetings, the Commissioners shall preserve order and decorum and shall not, by conversation or other action, delay or interrupt the proceedings or refuse to obey the orders of the Presiding Officer or the rules of the Commission.
- (3) **Staff and Public.** Member of the administrative staff, employees of the Port and other persons attending Commission meetings shall observe the same rules of procedure, decorum, and good conduct applicable to the members of the Commission.
- (4) **Removal of Any Person.** Any person who makes personal, impertinent, slanderous, or unauthorized remarks or who becomes boisterous while addressing the Commission or attending a Commission meeting shall be removed from the room if the Presiding Officer so directs. If the Presiding Officer fails to act, any member of the Commission may move to require enforcement of this rule. Upon affirmative vote of a majority of the Commissioners present, the Presiding Officer, or his or her designee shall be authorized to remove the person or persons. Such person or persons may be barred from further audience before the Commission for up to one (1) year and in aggravated cases, the Presiding Officer may make an appropriate complaint to law enforcement.

SECTION 5. CENSURE

- (1) The Commission has the inherent right to make and enforce its own rules and to ensure compliance with those laws generally applicable to public bodies. Should any Commissioner act in any manner constituting a substantial violation of these rules or other general laws, a majority of the Commission may vote to issue a public reprimand.

EXHIBIT A

- (2) To exercise such inherent right, the Commission has the right to investigate the actions of any member of the Commission. Such investigation shall be referred to a Committee of no less than two Commissioners, upon a finding that a reasonable ground exists that a substantial violation has occurred.
- (3) The Committee shall investigate the actions and present a report to the Commission.
- (4) Any member accused of a substantial violation of Commission rules or any other general law shall have the right to present a defense to the allegations, including the right to present rebuttal evidence, and to have representation by counsel. Upon finding, by a moral certainty, that a substantial violation has occurred, and that such violation affects the Commissioners ability to represent the interests of the Port as a whole, the Commission may, upon unanimous vote of the Commissions other than the Commissioner subject to censure proceedings, impose a proper sanction.

SECTION 6. DUTIES AND PRIVELEGES OF MEMBERS

- (1) **Code of Conduct.** Commissioners shall conduct themselves so as to bring credit upon the Port as a whole and to set an example of good ethical conduct for all citizens of the community. Commissioners should constantly bear in mind these responsibilities to the entire electorate, and refrain from actions benefiting any individual or special interest group at the expense of the Port as a whole. Commissioners should likewise do everything in their power to ensure impartial application of the law and Port policies to all citizens, and equal treatment of each citizen before the law, without regard to the individual's membership in a protected class.
- (2) **Ethics.** Every Commissioner shall be responsible for becoming familiar with, and for complying with, Ethics Laws for Public Officials in Oregon as set forth in ORS chapter 244.
- (3) **Debate.**
 - a) Any Commissioner who has the floor shall confine himself or herself to the question under debate, avoid personal attacks, and refrain from impugning the motives of any member's argument or vote. No member shall address the chair or demand the floor while any vote is being taken.
 - b) Commissioners shall limit their remarks on a subject to five minutes unless granted additional time by the Presiding Officer. No Commissioner shall be allowed to speak more than once upon any one subject until every other member choosing to speak thereon has spoken.
 - c) A Commissioner, once recognized, shall not be interrupted while speaking unless called to order by the Presiding Officer or unless another Commissioner raises a point of order while he or she is speaking. In such a case, the Commissioner speaking

EXHIBIT A

shall cease speaking immediately until the point is determined. If ruled to be in order, he or she shall be permitted to proceed. If ruled out of order, he or she will remain silent or shall alter his or her remarks to comply with the ruling.

- (4) **Right to Appeal.** Any Commissioner may appeal the Presiding Officer's ruling to the Commission. If the appeal is seconded, the Commissioner making the appeal may briefly state his or her reason for the appeal. The Presiding Officer may briefly state in his or her ruling, but there shall be no debate on the appeal and no other Commissioner shall participate in the discussion. The Presiding Officer shall then put the question, "Shall the decision of the Presiding Officer stand as the decision of the Commission?" If the majority of the Commissioners present vote "Aye", the ruling of the Presiding Officer shall be sustained; otherwise, it shall be overruled.
- (5) **Dissent and Protest.** Any Commissioner shall have the right to express dissent from or protest against any ordinance, resolution or decision of the Commission and have his or her reason therefore entered upon the Commission minutes. Such dissent or protest must be filed in writing, couched in respectful language, and presented to the Commission not later than the next regular meeting following the date of passage of the ordinance, resolution or decision objected to.
- (6) **Excusal During the Meeting.** No member may leave any Commission meeting while it is in session without permission from the Presiding Officer.
- (7) **Personal Privilege.** The right of a Commissioner to address the Commission on a question of personal privilege shall be limited to cases in which his or her integrity, character, or motives are assaulted, questioned, or impugned.

SECTION 7. ORDER OF BUSINESS AND AGENDA

- (1) **Order of Business.** The business of all regular meetings of the Commission shall be transacted as follows; provided however, that when it appears to be in the best interest of the public and of the Commission, the Presiding Officer may change the order of business.
- a) Call to Order
 - b) Roll Call by Secretary-Treasurer or designee
 - a)c) _____ Consent Calendar
 - I. Approval of Previous Meetings' Minutes
 - II. Approval of monthly financial statements
 - b) Presiding Officer and Commissioners Comments
 - c) Ordinances and Resolutions
 - d) Public Contracts and Purchasing
 - e) Public Hearings

EXHIBIT A

- f) Port Managers Report
- g) Port Staff Reports
- h) Public Comment~~Executive Session~~
- i) Other Miscellaneous Matters
- j) Executive Session~~Public Comment~~
- k) Adjournment

(2) **Agendas.** Port staff shall prepare an agenda for every regular, and if requested, for every special or emergency Commission meeting. Any person may request to place items on the agenda, but such items shall be presented to the Port Manager in writing at least five (5) days prior to the meeting at which they are to be discussed. Any Commission member may request to the Presiding Officer or Port Manager that an item be placed on the agenda for consideration. Agendas and information material for regular meetings shall be distributed to the Commissioners at least four (4) days before a meeting. New business brought before the Commission in a meeting may be referred to the Port Manager for a report at a future Commission meeting.

(2)(3) Distribution of Agenda to the Public. The proposed agenda will simultaneously be distributed to all District offices and other facilities, local and other news media, and posted at one or more locations convenient for review by District personnel and the public.

(3)(4) Additions to the Agenda. A request to add an item to the Commission agenda for Commission consideration may be presented at the Commission meeting but shall require a majority concurrence of the members present before it can be added.

(5) **Consent Calendar.** The approval of minutes and other routine agenda items may be placed on the consent calendar. Discussion of the consent calendar shall be limited to five (5) minutes. Any item on the consent calendar may be removed from it and placed in its otherwise appropriate position in the order of business at the request of the Presiding Officer or of any two members of the Commission.

(6) **Adjournment.** Upon completion of the entire agenda, or at an hour pre-determined for the meeting to end, a Commissioner shall make a motion to adjourn the meeting. Another Commissioner shall second the motion, and the Commission President (or acting president) shall declare the meeting adjourned.

(4) Special circumstances: in the case of emergency circumstances (medical emergency, threat to public safety, etc.) the meeting may be adjourned without motion or preamble. If a loss of quorum occurs for any reason during the course of the meeting,

EXHIBIT A

the meeting is considered adjourned at that point. The minutes of the meeting shall reflect how and why the meeting was adjourned.

SECTION 8. CONSIDERATION OF BUSINESS

- (1) **Quorum.** A majority of the Commission shall constitute a quorum to conduct business. A quorum is required to be present in order for the Commission to deliberate or take any final action. If only a quorum is present, a unanimous vote shall be required to take final action. A lesser number may meet and adjourn from time to time and compel the attendance of absent members.
- (2) **Voting.** Unless otherwise provided by statute, ordinance or resolution, all votes shall be taken by voice, provided, however, upon demand by any member of the Commission, a roll call vote shall be made upon any question before the Commission. ~~No Commissioner may explain the reasons for his or her vote during the roll call.~~ Commissioners may append to the record, at the time of voting, a statement indicating either the reason for their vote or abstention. Any Commissioner may request that his or her vote be changed prior to consideration of the next order of business.
- (3) **Procedure Generally.** When the question has been called for, the Presiding Officer shall first ask for the ayes followed by the noes. After a vote has been taken, the Presiding Officer shall announce the results of the vote. The vote shall be entered upon the record.
- (4) **Tie Vote.** In case of a tie in votes of any proposal, the proposal shall be considered lost.

SECTION 9. PUBLIC COMMENT

- (1) **Policy.** The Commission recognizes that public input into the governmental process is an invaluable aid to informed decision making. Therefore, it is the policy of the Commission that all citizens shall have the right to speak before the Commission on matters of public concern, but each citizen shall be responsible for abuse of such right. To ensure that the greater public interest is fostered, each citizen or group of citizens who desire(s) to speak before the Commission shall have the duty to exercise this right in a manner which furthers the greater public interest.
- (2) **Public Comment Generally.**
 - a) Any member of the general public wishing to address the Commission on a matter of public concern may do so at the time set for public comments during each regular session of the Commission. Any member of the general public so addressing the Commission shall be limited to a period of three (3) minutes

EXHIBIT A

within which to make themselves heard. The Commission, in its sole discretion, may extend this time or may request for further information be presented to the Commission on such date and in such manner as the Commission deems appropriate.

- b) Public comment is encouraged on any topic before the Commission however, in order for the Commissioners to have an adequate and efficient discussion regarding the topic before it, once a motion is made and seconded by the Commission, further discussion of the topic before the Commission is limited to discussion by and between the Commissioners. Nevertheless, the Commission, in its sole discretion, may address further public comment after a motion has been made and seconded if it deems further public comment would be helpful.

- (3) **Persons Sharing Common Concerns.** If any group of three or more persons sharing a common viewpoint on any subject wishes to address the Commission during the time for public comment, the group shall select a spokesperson who shall present the views of the group to the Commission. The Commission, in its sole discretion, may request to hear the views of additional speakers of the group. Additional support for the views of the group, in the form of petitions, letters, videotapes, etc., may be presented to the Commission for consideration at the conclusion of the spokesperson's remarks.
- (4) **Roster.** All persons or groups wishing to address the Commission during the time set for public comment shall, prior to the Commission convening the meeting, sign the roster provided by Port staff. Any person signing the roster shall indicate their name, residing address, and the subject of public concern on which the persons or groups wish to address the Commission.
- (5) **Complaints and Suggestions to the Commission.** When any citizen brings a complaint before or makes a suggestion to the Commission, other than the items already on the agenda, the Commission, by a majority vote, may refer the matter to the Port attorney, Port staff, a committee, Port Manager, or the appropriate committee for study and recommendation and report.

SECTION 10. PROCEDURE FOR COMMISSION MEETINGS

- (1) **Rules of Order.** Unless otherwise provided by law or by these rules, the Commission rules or procedure will generally be governed by Robert's Rules of Order, 12th Edition. These rules shall not be binding upon the Commission; rather, they are intended to provide guidance.

EXHIBIT A

(2) **Convening the Meeting.** At the time appointed, the Presiding Officer shall immediately call the members of the Commission to order. The recorder shall enter in the minutes of the meeting the names of the members present.

(3) **Recognition.** Every Commissioner wishing to speak shall first address the Presiding Officer and wait until he or she is recognized and has obtained the floor. No persons other than members of the Commission and the person having the floor shall enter into any discussion, either directly or through a member of the Commission., without the permission of the Presiding Officer.

(4) **Requirement of a Second Before Debate.** No motion shall be debated until it has been seconded and the second has been announced by the Presiding Officer.

(4)(5) Conflict of Interest/Ex Parte Contacts. Any Commissioner with a potential conflict of interest shall declare the conflict for the record but may participate in discussions and vote. Any Commissioner with an actual conflict of interest shall declare the conflict for the record, and refrain from discussion or voting. If any Commissioner has had ex parte contact in a quasi-jurisdictional matter, the Commissioner shall declare the contact prior to participating in discussion on the matter.

(5)(6) Motions Reduced to Writing. Any Commissioner may request that a motion be reduced to writing and read by the Port's recorder of the minutes.

(6)(7) Commission Questions to Staff. Every Commissioner wishing to question the administrative staff shall address his or her question to the Port Manager who shall be entitled to either answer the inquiry or designate some member of the staff for that purpose.

(7)(8) Public Participation. Any member of the general public wishing to address the Commission shall first be recognized by the Presiding Officer and shall limit his or her remarks to the question then under discussion. Persons failing to comply with the reasonable rules of conduct outlined by the presiding officer, or causing any disturbance, may be asked or required to leave. Any individual who fails to leave the premises when asked to do so may be treated as a trespasser, and law enforcement may be contacted to remove the individual.

(8)(9) Motions to be Stated by Presiding Officer/Withdrawal. When a motion is made and seconded, it shall be stated by the originator or the Presiding Officer before debate. A motion may not be withdrawn without the consent of the member seconding it.

EXHIBIT A

SECTION 11. COMMISSION COMMITTEES

- (1) **Creation and Termination.** Commission committees may be created at any time by resolution or motion. All Commission committees shall have a chairperson and secretary who may be either appointed by the Presiding Officer or by a majority vote of the members of the committee in the absence of such appointment. Each committee shall report to the Commission without unnecessary delay upon matter referred to it. Each committee so created shall terminate at the end of its mission, but, in all events, shall be reviewed at the end of a period of three (3) years from the date of initial creation, at the end of each subsequent three (3) year period after reauthorization and at such time shall either be reauthorized or terminated permanently.
- (2) **Membership.** Membership on Commission committees shall include only sitting Commissioners who shall be appointed by the Presiding Officer subject to confirmation by the Commission. Commission committee appointments shall be for a term of one (1) year. Committee members may be reappointed for an indefinite number of terms.
- (3) **Meetings.** Commission committee meetings may be called by the committee chairperson or by any two members. A majority of the committee members appointed shall constitute a quorum to conduct business.
- ~~(4) **Meetings Subject to Oregon Open Meetings Law.** All meetings of any Commission committees shall be subject to and comply with the Oregon Public Meetings law pursuant to ORS 162.610-192.700.~~
- ~~(5)~~(4) **Registry.** The designated administrative staff of the Port shall prepare, keep current and retail on file in the office of the Port of Bandon a list of all appointees to all Commission committees, the date of their appointment, the length of their unexpired term. The list must be updated once annually or upon and substantial change in membership of any Commission committee.

SECTION 12. MISCELLANEOUS

- (1) **Amendments to Commission Rules.** Amendments to these rules shall be made by resolution.

EXHIBIT A

(2) **Anonymous Communication.** Anonymous and unsigned communications shall not be introduced in Commission meetings.

(3) **Smoking.** Oregon's Indoor Clean Air Act prohibits smoking in Public Buildings and within 10 feet of all entrances, exits, and accessibility ramps that lead to and from an entrance or exit, windows that open and air-intake vents. "Smoking" includes cigarettes, cigars, pipes, and the use of "inhalant delivery systems" (vaping); and other devices. The Commission may adopt anti-smoking policies that are stricter than state law and prohibit smoking on public properties other than buildings.

(4) **Meetings Subject to Oregon Open Meetings Law.** All meetings of any Commission or committees shall be subject to and comply with the Oregon Public Meetings law pursuant to ORS 162.610-192.705.

(2)



PORT OF BANDON

390 FIRST ST SW ♦ BANDON, OREGON 97411 ♦ PHONE (541) 347-3206

RESOLUTION 2024-04

FUNDING FOR COQUILLE RIVER JETTY REPAIRS

WHEREAS, the Coquille River jetty is a federal project that has served the boating and shipping interests of the region for over a century, and

WHEREAS, the project is essential to the economic prosperity of our coastal region and is vital to the local community, and

WHEREAS the jetty works to funnel river flow to maintain channel depth, provide safe waterway passage for boaters, and protect urbanized areas near the mouth of the river from flooding, and

WHEREAS, jetty construction was completed in 1909, with the last repair performed in 1955. Now the north, south, and L-shaped pile dike jetties are all in critical need of major maintenance, and

WHEREAS, the south jetty is scalloped out over an old shipwreck at the inside tip, and undercuts the position of the foghorn midway down. Along the trunk waves and river water flow freely, threatening municipal infrastructure, residential development, and a critical facility. The failure is also exposing the system to channel migration to the south, and

WHEREAS, the north jetty head has deteriorated and created a dangerous rock rubble feature which has contributed to recent fatalities. Areas of the north jetty trunk are failing, and the L-Shaped Pile Dike has severely deteriorated. If this continues flow will enter the embayment to the north and effectively cut off the pile dike, creating a direct passageway for waves and currents to pass. If this were to occur, the sand spit will likely continue to erode towards the ocean, decreasing the protective nature of the spit and rendering the pile dike useless.

WHEREAS, in 2024 the US Army Corps of Engineers received federal funding to complete a Major Maintenance and Repair report for the Coquille River Jetty project. This is on track to be finished by the end of 2024, and

WHEREAS, follow up funding for subsequent steps including a Detailed Design Review and Plans and Specs document is critical so that this project continues to move forward.

NOW THEREFORE, BE IT RESOLVED, the Commission of the Port of Bandon fully supports and encourages a funding allocation into the 2025 USACE Work Plan the full amount necessary to complete the next phase of this project, estimated at \$1.3 million.

APPROVED and ADOPTED by a unanimous vote of the Port of Bandon Board of Commissioners this 19th day of December 2024.

APPROVED:

ATTESTED:

Reg Pullen, President

Donny Goddard, Vice President

Port of Bandon, Oregon Harbor Office Concrete Construction Work

Sealed Competitive Bids to provide construction services for the Port of Bandon ("Port") will be received at the Port office, 390 First St, SW, Bandon, OR 97411, until **3 p.m. on December 17, 2024**. Any Bids received after the specified time will not be considered.

The Bid will cover the cost of materials and labor to provide concrete construction improvements, located at 50 Chicago Ave, SE, in Bandon, Oregon. Bid and construction documents can be viewed by appointment in the Port office at the above address, or by email request to portmanager@portofbandon.com.

Construction is targeted to begin on or around March 1, 2025 and be completed by the end of April 2025.

The Project is a public work subject to the payment of Oregon applicable prevailing wages for Region 7, Coos and Curry counties, as established by the Oregon Bureau of Labor and Industries, [BOLI : Which prevailing wage rate applies to this project? : For Employers : State of Oregon](#). The Project is funded with grant funds from multiple sources including some federal funding. Compliance with grant terms will be required.

Direct questions to Jeff Griffin by email at portmanager@portofbandon.com; by telephone at (541) 366-0115.



ENGINEERS, INC.

November 26, 2024

244033.01

Jeff Griffin
Port Manager
Port of Bandon
390 1st Street SW
Bandon, OR 97411

SUBJECT: Bandon Boat Ramp Repair Construction Evaluation

Dear Jeff:

PND has contracted with the Port of Bandon for the evaluation of the Boat Ramp Repairs at the Port of Bandon. The boat ramp was component of the overall boat ramp project, which was designed by the Oregon State Marine Board (OSMB) and constructed by West Coast Contractors (WCC). Original construction of the boat ramp occurred during the in-water work window of the 2023-2024 season.

Non-conformities between the design and specification and boat ramp construction were outlined by the Oregon State Marine Board as outlined in their Port of Bandon Boat Ramp Construction Review' memo dated June 10, 2024. Subsequently, WCC and their subcontractor, Ballard Marine Construction (BMC), submitted a corrective work plan to address the non-conformities outlined by the OSMB. PND reviewed the corrective work plan and documented our findings in *Boat Ramp Plank Repair Evaluation* memo dated September 6th, 2024. This memo summarized the repair plan addressed the non-conformities of construction with a 35-year design life for the boat ramp.

The Port coordinated with PND, WCC, and BMC through-out construction repairs on the boat ramp. PND reviewed the following dive reports to evaluate grouting process, grouting inspection, and rip rap repairs for conformed with the repair plan. PND reviewed the following reports:

- BMC Quality Control Reports (QCR) dated 11/4/2024 through 11/8/2024.
- BMC QCRs dated 11/11/2024 through 11/15/2024 and 11/18/2024.

Additionally, PND reviewed the two dive inspection videos taken 11/19/2024 named:

- 11192024_123640_1.avi and 11192024_124640_1.avi.

In summary the reports showed that BMC filled the voids underneath and between panels in four zones from panels 1 and 2 on the lower end to panels 21 and 22 on the upper end. BMC used grout verification ports to visually verify the grout traveled underneath and between panels to the verification ports. PND notes the following from the QCR and video review:

- The voids along the edges of the boat ramp appear to be filled with rip rap based on the 11/19/2024 dive video. PND notes that the voids between the rip rap stones, adjacent to the lower ramp, appear to be silting in.
- BMC observed and PND noted from the video that all the grout ports and grout verification ports were filled in with grout.
- Grout formed a vertical transition at the lips between adjacent panels. BMC had cut groves into the newly placed grout transitions. PND noted that no forms appear to remain in place based on the dive video from 11/19/2024.
- The voids between the curb stops and panels 1 and 2 were filled with SplashZone rather than epoxy grout. SplashZone has a cured compressive strength of 4,000 psi and developed for underwater and tidal applications.

Based on PND's review, the QCRs and dive videos appear to address all the non-conformities identified in OSMB's June 10, 2024 report.

Sincerely,

PND Engineers, Inc. | Seattle



Rian M. Johnson, P.E.
Principal

Attachments:

BMC QCRs 11/4/2024, 11/5/2024, 11/6/2024, 11/7/2024, 11/8/2024, 11/11/2024, 11/12/2024, 11/13/2024, 11/14/2024, 11/15/2024, 11/18/2024



2025 Mission to Washington

March 10-13 | Washington D.C.

Registration



The 2025 PNWA Mission to Washington promises to be an event you will want to attend! Join us in the nation's capital as we meet with lawmakers and their offices to ensure our priorities and issues are top of mind.

Throughout the program, participants will gain valuable insights and network with key federal agency officials, industry partners, and DC insiders. In addition, we will spend two days on Capitol Hill meeting with the Northwest Congressional delegation. Make your plans to join us today!

Registration will open in December of 2024, but will not be invoiced until January of 2025.



Port of Bandon Strategic Business Plan

Volume 1. **Strategy** | January 11, 2022 Update

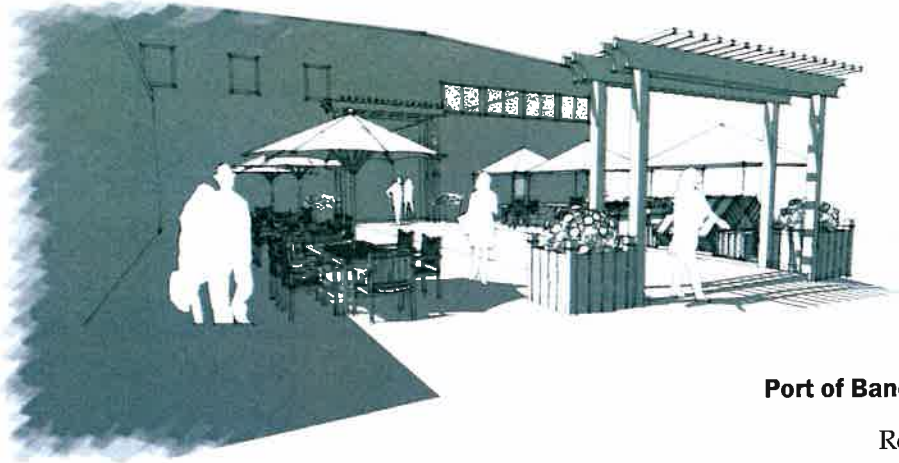


Thanks to the Port of Bandon, its stakeholders, and community partners for sharing their time and insight in the development of this Strategic Business Plan.



Acknowledgements:

This plan was developed by the Port of Bandon with assistance from Business Oregon.
For more information about the Port of Bandon, visit:
www.portofbandon.com



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Jeff Griffin, General Manager
Shawn Winchell, Harbor Master
Josh Adamson, Project Manager
Kathy Reed, Finance Director

Thanks to the Port of Bandon, its stakeholders, and community partners for sharing their time and insight in the development of this strategic business plan.

Please see also *Volume 2 - Plan*

PORT OF BANDON STRATEGIC BUSINESS PLAN

INTRODUCTION

The Port of Bandon (Port) Strategic Business Plan provides a blueprint for projects and policies to move the Port forward over the next 20 years. The plan is presented in two volumes:

Volume 1 – Strategy is an executive summary of findings and implementation actions.

Volume 2 – Plan includes all required background materials and appendices.

KEY FINDINGS

The Port does an excellent job in creating and maintaining a high-quality waterfront for Bandon residents, businesses, and visitors, but needs to expand jobs and income opportunities. Several categories should be considered in maintaining existing jobs and pursuing new economic opportunity.

Dredging – The Port and community depend on federal channel dredging from the mouth of the Coquille River to the marina. This study shows that dredging within Coquille Bay is essential to maintaining 54 existing businesses that would be directly impacted by dredging activities. These local businesses support 619 jobs (including 441 direct jobs and 177 indirect/induced jobs). They also provide the following economic benefits that would be at risk without federal funding for Coquille River dredging:

- \$16.7 million in annual total labor income;
- \$27.4 million in annual value added (gross regional product);
- \$50 million in annual economic output;
- \$4.1 million in annual state and local tax payments; and
- \$3.7 million in annual federal tax payments.

In addition to channel dredging, dredging of the boat basin and launch ramp are key to long-term success.

Port Services and Attractions – Those interviewed as part of this planning process are supportive of the Port's excellent stewardship of the waterfront and of the Port's efforts to expand the Old Town Marketplace. There were many ideas for expanding waterfront service, but most focused on upgrades to the marina and providing additional waterfront attractions, such as restaurants, artisan space, and small shops to address tourism demand. Additionally, a commercial fish hoist on the high dock will further support, strengthen, and encourage the recent trend in seafood deliveries to Bandon.

Lease Revenue – The Port needs to evaluate lease rates and increase leasable space. A flexible lease space for artisans’ lofts and related manufacturing could be accommodated on the fishermen’s parking lot across from the marina at First Street and Elmira. This space could include cold storage needed for locally grown agriculture (cranberries, local produce, and creamery stock).

STRATEGIC PLAN ACTIONS

The Port of Bandon’s strategic business plan includes the Port’s mission, goals, strategies, and key action items. The Port’s mission and priority capital improvements are listed below, including approximately \$8 million in capital projects and action items scheduled over the next 20 years.

Mission

To promote, in cooperation with local businesses, local government, and other organizations, the economic development potential of the Port District.

Strategic Port Projects

Figure S1 shows the location of strategic Port projects and concepts on the Bandon waterfront to help meet the Port’s mission.



Figure S1 - Port of Bandon projects

Additional Sites and Projects

- Georgia Pacific Riverside site in Coquille for industrial development
- Old Town overflow parking lot
- Improved recreational facilities and signage for bicycles, canoes, and kayaks
- **Assess and develop mariculture opportunities through public / private demonstration and feasibility projects**

Table S1 shows planning-level capital cost estimates, action items, and time frames for developing the projects listed above.

Table S1 - Capital Improvements and Action Items

Bandon Waterfront		Capital Improvements	2022 Cost Est.		Timeline	Priority	Notes
			Port	Tenants/ Agencies			
1	Dredging Coquille River	USACE dredging mouth of the Coquille	staff time	\$550,000	yrs. 1-5	High	Assumes federal funds are obtained
2	Bandon Fisheries / Old Town Marketplace Upgrades	Improve parking and access for, farmers and fish market, expand eligible uses	\$75,000	\$75,000	Yrs. 1-5	High	Cost split between Port and tenants or grant agencies is approximate
3	Marina Replacement	Provide new HDPE / FRP docks, concrete breakwater floats and replace pilings	\$1,500,000	\$4,500,000	yrs. 1-5	High	Marina infrastructure requires reconstruction
4	New lease building on First Street/	Construct one 1,6,00 sf lease building on north side of First, west of launch ramp lot	\$250,000		yrs. 1-5	Medium	Food service, coffee, recreation outfitters
5	Flex Building on SE corner of First St and Elmira St	New 3,000 sf single story building for cold storage, artisan lofts, showroom manufacturing	\$450,000	\$200,000	yrs. 6-10	Medium	Requires a zone text amendment within the C-1 zone; and a feasibility analysis
6	Coquille River Café	Repurpose upper bay garage at Coast Guard Building as breakfast/lunch café	\$50,000		yrs. 1-5	Medium	Preserve historic structure and enhance lease potential
7	Commercial Fish Hoist	Market the new hoist on the high dock	\$500	N/A	yrs. 1-5	Medium	Supports growing boutique seafood market.
8	ADA Accessible Fishing Platform	Complete final improvements to new pier	\$15,000		yrs. 1-5	High	Project is in construction
Sub To			\$2,340,500	\$5,325,000*			

Bandon Waterfront		Capital Improvements	2022 Cost Est.		Timeline	Priority	Notes
Coquille Riverfront							
7	River walk assistance	Provide phase II assistance, focus on old mill frontage to attract jobs to the site	\$15,000	\$100,000	yrs. 1-5	Medium	Port assisted with phase I; phase II assistance targets industrial site at old mill
Sub Total			\$15,000	\$100,000			
District wide							
8	Recreation	River walk upgrades, Redmon Pond wildlife viewing platform, bicycle paths, kayak launches and signage	\$50,000	\$500,000	yrs. 1-20	Medium	Local support strong for enhanced recreation on both roads and river from Bandon to Coquille
9	Marketing (brochures and publications)	Market Bandon as a high-quality destination for live/work relocation	\$4,000	\$8,000 Travel Oregon, Chamber of Commerce, City of Bandon	yrs. 1-4	High	\$,3,000 per year
Sub Total			\$54,000	\$508,000			
Public Private Partnerships							
10	Boat launch at Weber's Pier	Launch facility replacement	\$165,000	\$1,155,000	yrs. 1-5	High	Port has received the preliminary engineering from the Marine Board and is preparing permits "
11	State Ports Shared Dredging Equipment	Port of Coos Bay is operating in partnership with the state.	State offsets partial cost		yrs. 1-5	High	State purchased dredge equipment.
12	Mariculture demo and feasibility	Public and/or private locations on waterfront	Provides lease revenue to Port. Some costs associated with feasibility work.		2019 - 2022	High	Large scale feasibility to be completed in 2022 following initial demonstration site
Total			\$2,574,500*	\$7,088,000*			