



ROSEBURG AIRPORT COMMISSION AGENDA
THURSDAY, DECEMBER 15, 2022
3:30 p.m. Regular Meeting

12-9-2022

Electronic Meeting

Public Access: [www.Facebook.com/CityofRoseburg](https://www.facebook.com/CityofRoseburg)

NOTE: IT IS UP TO EACH OF YOU AS COMMISSIONERS TO CALL 541-492-6730 AND LET STAFF KNOW BEFORE THE DAY OF THE MEETING IF YOU WILL NOT BE ATTENDING. THANK YOU.

NOTE: Electronic Meeting

I. CALL TO ORDER

II. ROLL CALL:

Chair: Patrice Sipos
Commissioners: Dave Morrison Frank Inman Clint Newell
Dan Sprague Robb Paul Steve Skenzick
Rob Levin (ex-officio)

III. APPROVAL OF MINUTES

A. August 18, 2022

IV. DISCUSSION ITEMS

A. Airport Security- North Gate

CITIZEN PARTICIPATION - Comments can be provided via email to the Commission at pwd@cityofroseburg.org or hand delivered to City Hall, 900 SE Douglas Avenue in Roseburg, prior to 12:00 p.m. on the day of the meeting. Comments must include the person's name and address for the record. The Commission reserves the right to delay any action requested until they are fully informed on the matter.

V. INFORMATIONAL

VI. BUSINESS FROM THE COMMISSION

VII. NEXT MEETING DATE: February 16, 2023

VIII. ADJOURNMENT

*** AMERICANS WITH DISABILITIES ACT NOTICE ***

Please contact the City Administration Office at least 48 hours prior to the scheduled meeting date if you need accommodations in accordance with the Americans with Disabilities Act. TDD users, please call Oregon Telecommunications Relay Service at 800-735-2900.

**CITY OF ROSEBURG
AIRPORT COMMISSION
MEETING MINUTES
August 18, 2022**

CALL TO ORDER: Chair Patrice Sipos called the meeting of the Roseburg Airport Commission to order at 3:30 p.m., Thursday, August 18, 2022, in the Council Chambers at City Hall.

ROLL CALL: Present: Chair Patrice Sipos, Commissioners Frank Inman, David Morrison, Clint Newell, Robb Paul, Steve Skenzick, Dan Sprague, Ex-officio Rob Levin

Absent: None

Attending Staff: City Manager Nikki Messenger, Public Works Director Dawn Easley, Design and Construction Manager Ryan Herinckx, and Staff Assistant Kandi Street

Others Present: Jody Tatone and Ben Tatone with Aerostate, LLC

APPROVAL OF MINUTES: Commissioner Paul moved to approve the minutes from the July 21, 2022 meeting. Motion was seconded by Commissioner Newell and approved with the following vote: Chair Sipos, Commissioners Inman, Morrison, Newell, Paul, Skenzick, and Sprague voted yes. No one voted no.

DISCUSSION ITEMS:

2023-2028 Capital Improvement Plan – FAA AIP and BIL Funding:

Messenger reported the FAA requested an updated Capital Improvement Plan (CIP) utilizing both Airport Improvement Program (AIP) funding and Bipartisan Infrastructure Law (BIL) funding. The BIL funding allows for an additional \$295,000 per year for the next five years. The current CIP was submitted with only AIP funded projects. Staff submitted a list of three projects utilizing BIL funding. Messenger gave an overview of the projects for both funding sources.

Messenger stated there has been increased intrusion at the airport. The airfield is fenced with various heights of fencing and there are sections that do not have three-strand barbed wire. Although, FAA standard allows for five foot fencing, it is not meeting security needs for the airport. Staff recommends including a fencing and security upgrade project in FY 23 utilizing BIL funding. Replacement of the card lock system could be an eligible expense; the addition of security cameras would not be eligible.

The updated CIP project list is due to the FAA by the end of August. The consultant informed staff no BIL funded grants have been processed in our Region to date. Therefore, it could take additional time for the security project to begin.

Commissioner Inman questioned how soon the fencing on the east side could be remedied. Messenger replied it could take a few months to get the project list approved. If we receive a commitment, we could pay for it upfront and be reimbursed when the funding became available. There are additional requirements when utilizing Federal funds such as Buy

America. Potentially the project could be completed in 2023. Commissioner Newell expressed appreciation to staff for their efforts.

MOTION: Commissioner Newell moved to recommend submittal of the FY 2023-2028 Capital Improvement Plan for the Roseburg Regional Airport to the FAA for consideration. Motion was seconded by Commissioner Paul and approved with the following vote: Chair Sipos, Commissioners Inman, Morrison, Newell, Skenzick, Paul and Sprague voted yes. No one voted no.

CITIZEN PARTICIPATION:

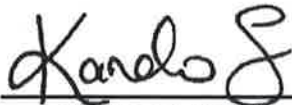
Jody Tatone, Corporate Hangar #12, informed he received a list of objections regarding their application for a conditional use permit. He wanted to clarify their intent is to use the aeronautical portion of the hangar to store airplanes not building materials. They plan to install fingerprint entry, restricting access from the non-aeronautical portion into the aviation portion of the hangar. Invited individuals who would like to look inside the hangar to schedule a meeting to do so.

INFORMATIONAL ITEMS: Messenger informed staff is looking into security cameras at the gates. Funds were budgeted in this fiscal year. Commissioner Sprague questioned if they will record and for how long. Messenger replied they will record, the length of time will be determined based on storage capacity.

BUSINESS FROM THE COMMISSION: None

NEXT MEETING DATE: October 20, 2022

ADJOURNMENT: Meeting adjourned at 3:53 p.m.



Kandi Street, Public Works Staff Assistant

**CITY OF ROSEBURG
MEMORANDUM**



DATE: December 15, 2022

TO: Airport Commission

FROM: Nikki Messenger, P.E., City Manager

SUBJECT: Airport Security – North Gate

ISSUE STATEMENT AND SUMMARY

At the July 21, 2022 meeting, the Airport Commission recommended that all drive-through gates to the airport be closed on a 24-hour basis. Staff was prepared to take this recommendation to the City Council at the December 12 meeting. Prior to that meeting, staff was approached with a new proposal, which is being presented for the Airport Commission's consideration.

BACKGROUND/ANALYSIS

The Roseburg Regional Airport has four automated vehicle gates that provide access to the users and customers of the airport. The gates can be opened by entering a code on the adjacent keypad or with a keycard that activates each gate. Gates 1, 2 and 4 are closed 24/7 and only open when activated. Gate 3, which serves the street side of the north hangar area, is open between 8 am and 5 pm Monday through Friday and closed the remainder of the time. Gate 3 was installed when the north apron and hangar area was constructed in 2006/7 under an agreement with Ron Preston, the owner of Hangar 12 at that time. The intent of the second gate was to provide access to his employees working in Hangar 12 while still securing the airside of the north area with a second gate that remains closed 24/7. The agreement between Mr. Preston and the City did not include any language indicating that it was assignable.

Over the past decade, the airport has seen an increase in unauthorized persons on the airfield. In the fall of 2021, staff and the Airport Commission began receiving complaints regarding unauthorized individuals trying to access hangars from the street-side parking lot. Sometimes the individuals were on foot. Other times, they would drive in. Staff responded via email that we were exploring options for closing Gate 3.

At the January 6, 2022 Airport Commission meeting, further discussion regarding full-time closure of the outer gate took place. One of the challenges involved the existing post office boxes that are located between the inner and outer gates and how to provide access to the postal carrier. Staff informed that a solution had been identified and that parts had been ordered.

In February 2022, staff received notice from the owner of Hangar 12, that the non-aviation tenant was moving out of the hangar and that additional parking spaces would no longer be required or paid for.

At the April 21, 2022 meeting, the Airport Commission discussed the ground lease assignment for Hangar 12. At that meeting, staff informed the potential new lessee, Ben Tatone, the airport had been working towards having the north end outer gate closed at all times due to security issues. In general, the Commission was not supportive of the concept of continuing non-aviation use in Hangar 12, primarily due to security concerns, and deferred making a recommendation related to the lease.

At the May 9, 2022 City Council meeting, the Council discussed the requested lease assignment for Hangar 12, which includes the conditional provision for non-aeronautical use in a portion of the hangar. Staff recommended the lease assignment include an acknowledgement that the outer gate may be closed during business hours in the future. The new owners of the hangar presented the Council with pictures and information from both the Eugene and Medford airports relating to access and security. After much discussion, the Council approved the lease assignment without conditions.

At the July 21, 2022 Airport Commission meeting, the Commission unanimously recommended that all drive-through gates to the airport be closed on a 24-hour basis.

On November 21, 2022, I received an email from Ben Tatone outlining a meeting held with the Tatones and hangar owners that were concerned about the conditional use permit related to the non-aviation use proposed in the second floor of Hangar 12. In the email, Mr. Tatone indicated the entire group was proposing that the gate be closed at all times but be programmed such that the access loop located outside of the gate automatically open the gate during weekday business hours. This is the fourth bullet point in the attached email, which includes my responses.

To summarize, the proposal is to have gate 3 closed 24/7 but automatically open when the vehicle loop is triggered during weekday business hours. Staff has reached out to Quality Fence to get a cost estimate for any upgrades that may be needed to facilitate this change, but has not received a firm estimate at this time.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

Staff continues to work on identifying the costs associated with this potential change.

TIMING ISSUES

The hangar owner is proposing to sublease the non-aviation portion of the first floor of Hangar 12 and has submitted a conditional use permit (CUP) application to the Community Development Department. While the gate decision does not affect the CUP application or the sublease, I believe everyone would like to have this issue resolved as quickly as practical.

COMMISSION OPTIONS

The Commission has the following options:

1. Recommend staff proceed with implementing full-time closure of Gate 3 with vehicle activation during weekday business hours; or
2. Recommend the City Council proceed with the full-time closure of Gate 3 as previously proposed; or
3. Request additional information.

ATTACHMENTS

Airport Gate Map

Airport Gate Pictures

November 21, 2022 Email chain



The City of Roseburg provides no warranty as to the merchantability or fitness for a particular purpose for any information. The information is available to City departments for City purposes. Original, certified, and official records may differ from computer entries. If reliance upon computer record is intended, verification of information on source documents is required. User expressly acknowledges and agrees that the use of any information obtained on or through City of Roseburg computers is at user's sole risk. The City of Roseburg shall not be responsible for any direct, indirect, incidental, or consequential damages caused by mistakes, omissions, deletions, error, or defects in any information or any failure due to delays in receiving information.



Gate 1

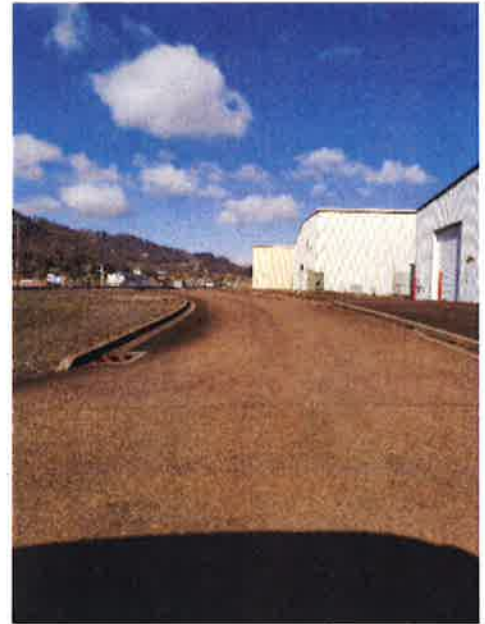


Gate 2

Gate 3



Parking Lot between Gates 3 & 4



Gate 4



Nicole A. Messenger

From: Nicole A. Messenger
Sent: Monday, November 21, 2022 6:24 PM
To: 'Ben Tatone'
Cc: Bill Woods; Chris Swanson; Jim Forester; rherinckx@cityofroseburg.org
Subject: RE: Hangar #12 CUP and Gate #3 issue

Ben –

Thanks for providing this information. I am glad your meeting went well. This is the first time you have brought up a sublease with DFN. That will need to go through the process and as such, I have no comment on that at this time. Other comments are listed below your bullet points. Thanks.

Nikki

From: Ben Tatone <bentatone@icloud.com>
Sent: Monday, November 21, 2022 12:24 PM
To: Nicole A. Messenger <nmessenger@cityofroseburg.org>
Cc: Bill Woods <skyking@douglasfast.net>; Chris Swanson <Chris.swanson@swansongroup.biz>
Subject: Hangar #12 CUP and Gate #3 issue

Nikki,

I met Friday 11/18 with parties who are both remonstrators of my CUP and also stakeholders in regards to interest in airport welfare. We had a productive meeting which produced a group of mutually beneficial and agreeable terms. We propose to enter these terms on record as part of my CUP approval in exchange for withdrawal of all remonstrance for my current CUP and the forthcoming CUP for sublease of my first floor (Suite 1) to Douglas Fast Net. Some of these proposed items will be subject to city approval and so time is of the essence in terms of your agreeability to these concepts as the remonstrators are hopeful that we can reach agreement and memorialization of these items before expiration of my CUP appeal period.

- Any leases of the non-aeronautical portion of the property during our ownership shall preclude any access by non-aviation tenants to the aviation portion of the building.
- The delineation of non-aviation space within the building to be moved Westward to align with the boundary wall between the office space and the hangar area. Noteworthy that the line will have to “jog” to encapsulate the bathroom and storage closet that service the hangar. This will involve a redistribution of the annual cost of the lease and Tenants are in agreement that the first adjusted invoice shall be July 2023.

This will involve an amendment to the lease. Given the existing complexities with this lease, I will need to involve the city attorney.

- At the point in the future that Aerostate decides to sell the building, there will be a 60 day period where the current hangar tenants and owners of hangars (and other buildings) at the City of Roseburg airport will have the exclusive first opportunity to purchase the building before it is offered to the general public. This is intended to promote the opportunity for this building to become wholly aeronautical in the future. This stipulation is not intended to preclude “transfers of convenience” between owners of Aerostate and/or their family members/estates/Etc. This “First Opportunity to Purchase Agreement” will be provided by Aerostate, LLC.

The existing lease (section 21) gives the City the first right of refusal. It refers to RMC 3.22.200 which states:

3.22.200 Option to purchase.

If the owner of any facility desires to sell or transfer title to such facility, the City shall have the first right and option to purchase the same within a period of sixty days after a bona fide offer has been received from a proposed bona fide purchaser, and notice thereof has been given in writing to the City. The price to the City shall be the same as the bona fide offer. If the City does not purchase, the owner thereafter may not sell to any person for less than the price quoted to the City without again thereafter repeating the above-mentioned option procedures at the lower price.

Any other "exclusive first opportunity" would not supersede the City's rights, so would probably need to be renamed.

- Parties were pleased to unanimously agree on a gate scenario that was not previously considered by any parties, that satisfies the goals of all parties. We (all) propose that the gate be closed at all times, but that an "access loop" be added on the outside of gate #3 so that it will open automatically for oncoming traffic during the business hours when it would have previously been in the open position. This will act as a discouragement to rogue car traffic and will completely preclude foot traffic as they will not have the bulk or magnetism to activate the access loop. Having said that, it still gives the office/non-aeronautical use the opportunity for clients and/or Vendors to reach the business during business hours. I have spoken to Quality Fence and confirmed this is possible and then also confirmed that it will cost less than the \$2500 proposed by staff for the previous gate opening/closing alternative.

This will have to go back to the Airport Commission. While it is great that you have reached a possible solution, an agreement among tenants does not negate the recommendation the commission has made to Council. I can probably delay the Council action item scheduled for December 12 and take it to Airport Commission on December 15. I will need to see a quote from Quality Fence and information on how the gate controller could be programmed to only sense the loops during certain hours prior to the agenda going out.

Parties understand and acknowledge that we as stakeholders cannot make this arrangement/decision unilaterally, but are hopeful that the city will be supportive of this arrangement and will take an angle towards preparation of the appropriate documentation etc.

I am open and available for your call and/or emails to discuss and/or refine this as needed.

With Good Regards

BT