



Cathryn Stephens, Board Chair
 Steve Nagy, Board Vice Chair
 Sarah Lucas, Bill Graupp, Jim Knight, Jeffrey Pricher
 Kenji Sugahara, Director of Aviation
 MEETING MINUTES APPROVED BY BOARD ON FEBRUARY 1, 2024


STATE AVIATION BOARD MEETING DRAFT MINUTES

DATE December 7, 2023
TIME 10:00 AM – 3:00 PM
LOCATION ODOT T-Building Conference Room
 355 Capitol St. NE, Salem, OR 97301
VIDEO RECORDING View Video Recording: <https://youtu.be/9ZSjdI8SN8c?si=cNq79ISqIM5vuJCd>
PRESENTING AGENDA Cathryn Stephens, Board Chair, and Kenji Sugahara, Director of Aviation

#	TYPE	TIME	ITEM	LEAD(S)
1	Information	10:00 AM	<p>Announcement by Board Administrator: <i>Good morning my name is Holly Herrera, and I am the Board Administrator for today's Board Meeting, Thursday December 7, 2023.</i> <i>If you are logged into TEAMS in person, please mute your laptops to prevent feedback and echo. This meeting is being recorded. Madam Chair Stephens we are ready to begin.</i></p> <p>Call to order & introductions <i>Chair Stephens- We are on a tight schedule for today's board meeting. Please comply to the amount of time given for each presentation on the agenda. Additional questions or comments that reach past the scheduled time can be emailed to ODAV.</i></p>	Board Administrator
2	Information	10:01 AM	<p>Chair Stephens Announcement</p> <p>Roll Call <i>Taken by the Board Administrator: ODAV Board Members: Cathryn Stephens, Sarah Lucas, Steve Nagy, Bill Graupp, Jeff Pricher, Jim Knight Present in person: Cathryn Stephens, Steve Nagy, Bill Graupp, Jim Knight, Sarah Lucas, Jeff Pricher Late Arrivals: Sarah Lucas and Jeff Pricher not present during roll call. Sarah Lucas arrived at 10:10 am left the meeting at 2:03 pm Jeff Pricher arrived at 11:21 am and left the meeting at 12:28 pm At Quorum? Yes</i></p>	Chair Stephens
3	Action	10:02 AM	<p>Approve Consent Agenda Approval of Prior Meeting Minutes:</p> <ul style="list-style-type: none"> Approval of October 4, 2023, Prior Work Session Minutes Approval of October 5, 2023, Prior Board Meeting Minutes Approval of November 2, 2023, Work Session Minutes <p>Chair Stephens Motion to approve the minutes from October 4th Planning Session, October 5th Board Meeting, and November 2nd Work Session, 2023 as presented (or as amended). <i>Moved: Bill Graupp Second: Steve Nagy Aye: All Nay: none</i></p>	Chair Stephens/Board



4	Information	10:03 AM	Public Comments <i>No public comments</i>	Chair Stephens/ Board Administrator
5	Information	10:04 AM Presentation began, 10:09 AM	Oregon Government Ethics Commission (OGE)C "Gifts" <ul style="list-style-type: none"> ➤ <i>Review the statues and the rules related to gifts for Public Officials-ORS Chapter 244</i> ➤ <i>Overview of definition of public official, relatives, household members, gift</i> ➤ <i>The receiver of the gift must consider the source of the gift.</i> ➤ <i>Must consider if there is a legislative or administrative interest from gift giver.</i> ➤ <i>Gift cannot exceed \$50 in calendar year from single source if the interest exists.</i> ➤ <i>Discussed exceptions to the limit.</i> ➤ <i>The board and staff asked several clarifying questions to better understand the statute and the exceptions.</i> 	Guest Speaker Charlie Esparza
6	Action	11:17 AM	COAR Cycle 8/ Approve 2024 ARC Members <ul style="list-style-type: none"> ➤ <i>Andria Abrahamson summarizes the COAR cycle 8 application stats and asks for approval of ARC Members for 2024 COAR Grant evaluation</i> ➤ <i>Chair Stevens asks where Cascade West covers-Andria Abrahamson answers Benton Linn and Lincoln counties.</i> ➤ <i>Jim Knight asked if there are applications that cover that area- Andria Abrahamson answers: There are two applications, one from Albany and one from Corvallis.</i> ➤ <i>Jim Knight asked: Did the act recommend or approve the submission? Andria Abrahamson answered, The Act does not approve the submission and there is not a requirement to have an ARC member from each region.</i> <p>Chair Stephens Motion to approve the ARC members for 2024 COAR Grant evaluation. <i>Moved: Jim Knight</i> <i>Second: Bill Graupp</i> <i>Aye: all</i> <i>Nay: none</i> <i>Approved: 11:21 AM</i> <i>PowerPoint presentation attached</i></p>	Abrahamson/ Thomas Chair Stephens/ Board
		11:22 AM Reconvene: 11:28 AM	Break	Chair Stephens
7	Information	11:29 AM	"Board 101", statutory authority and the laws that apply to public meetings and public records. 1 HR PRESENTATION <ul style="list-style-type: none"> ➤ <i>Stacy Posegate describes her role as the aviation board and the agency's lawyer.</i> ➤ <i>DOJ provides legal review and written advice.</i> ➤ <i>Board Members authority is derived from statute.</i> ➤ <i>Public Meetings definition was discussed, and the law including law changes were reviewed.</i> 	Legal Counsel Stacy Posegate

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➤ *Steve Nagy asked, "Is it a*

requirement to do an in person and a virtual meeting?" Stacy Posegate: The requirements have recently changed, and an only in person meeting with written minutes are no longer sufficient. There needs to be audio or video available as well.

- The requirements for a Quorum was explained.
- Executive Session requirements were reviewed.
- Jim Knight asked Can board members be held liable for violating public meeting laws. Stacy Posegate answered Yes, they can be held liable at the personal liability of the member.
- Public Records- Everything you create or do as a board member is a public record.
- Administrative Rules-Overview of how they are adopted.
- Litigation/Contested Case Process-
- Steve Nagy asked what is the view on small task forces of the board working with department staff with a land use issue for example.
- Stacy answered as long as it is not a quorum it is ok.
- Director Sugahara said that if there is a topic for the board discussion it should go through him and he will work with Holly and it will be a scheduled to be part of an upcoming board meeting.
- Sarah Lucas has a question about emails- Do board members get a state email? Holly Herrera answered Yes, they do. Board members can reach out to Holly if they would like a board email set up.
- Jeff Pilcher asks if he already has a government email does he need a separate board email set up?
- Stacy replies that if you have an email segregated then the public records request will only look at that email. She recommended that board business does not go to personal emails.
- Stacy recommends a future training on public records.

PowerPoint presentation attached

12:58 PM
Reconvene
1:30 PM

Lunch- Little Lois

Director's Update

- Education/ Workforce Development
- Oakridge Update

Topics Covered

8 Information **1:30 PM**

- STEM/Education/Workforce
- Economic Development Study
- Jump Aero- Memorandum of Understanding signed about VTOL Emergency Services
- Sustainable Fuel

Sugahara

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			<ul style="list-style-type: none"> ➤ <i>Connect Oregon Grant and EDA Grant</i> ➤ <i>Oakridge State Airport Update</i> 	
			<ul style="list-style-type: none"> • <i>PowerPoint presentation attached</i> 	
			<p>Planning and Programs Manager Update</p>	
9	Information	1:40 PM	<ul style="list-style-type: none"> ➤ <i>Staff Update</i> ➤ <i>Procurement and Rules Coordination in House</i> 	Thomas
			<p><i>PowerPoint Presentation attached</i></p>	
			<p>Finance Manager Update</p>	
10	Information	1:55 PM	<ul style="list-style-type: none"> • <i>Agency Annual Report</i> <ul style="list-style-type: none"> ➤ <i>Topics covered included:</i> ➤ <i>2023 Projects Summary</i> ➤ <i>2023 Financial Summary</i> ➤ <i>2023 ASAP Summary</i> 	Forest
			<p><i>PowerPoint Presentation attached</i></p>	
			<p>State Airports Manager Update</p>	
11	Information	2:10 PM	<ul style="list-style-type: none"> ➤ <i>Topics Covered Included:</i> ➤ <i>Airports Maintenance</i> ➤ <i>Airports Operations & Leasing</i> ➤ <i>Projects Update</i> ➤ <i>Chair Stevens asked how long did it take to get the forecast back for Aurora? Tony Answered 18 months.</i> ➤ <i>Upcoming airport closures</i> ➤ <i>Connect Oregon-Oakridge Runway Reconstruction</i> ➤ <i>Chair Stevens asked Is Oakridge in the NAS? Tony Beach said it may the criteria on certain aspects not on based aircraft though.</i> ➤ <i>Steve Nagy asked how we are doing with VPDs at Aurora. Tony Beach answered there only have been three this year.</i> 	Beach
			<p><i>PowerPoint Presentation attached</i></p>	
			<p>Board Updates</p> <p>This time is provided for the Board members to share news, events, or related information.</p>	
			<ul style="list-style-type: none"> • <i>Board Responses/ Input relating from previous Work Session</i> <ul style="list-style-type: none"> ➤ <i>Steve Nagy-</i> <ul style="list-style-type: none"> ○ <i>PDX is preparing for the opening of the new terminal. The first phase of the construction will be complete May 21st. That is 75% of the project.</i> ○ <i>They are applying for custom and border protection at Hillsboro airport for business aviation uses.</i> ○ <i>PDX is planning for transition to unleaded fuel.</i> ➤ <i>Bill Graupp</i> <ul style="list-style-type: none"> ○ <i>Recently took a trip to the Evergreen Museum to look at the education aviation. He is connecting them with CTECH.</i> ➤ <i>Chair Stevens</i> <ul style="list-style-type: none"> ○ <i>Eugene just wrapped up their busiest construction season</i> 	Board
		2:29 PM		

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including constructing 5 new

heavy pads, quick turnaround lot for rental cars and solar panels installed on the building.

Other Business

This time is provided for the Board or Staff to bring up topics not on the agenda

2:39 PM

- Director Sugahara in a recent trip to Monterey talked to a drones and advanced aerobotic group about a possible grant with DOT. There was also discussions with Alaska Fairbanks test site staff, about a test site on the West Coast.
- Alex Thomas mentioned there was a discussion with the city of Salem about expanding terminal space at the Salem Airport to share with ODAV and the city of Salem.

Board Staff

-
- Annual Agenda input for 2024
 - February Meeting-Location Tentative PDX
 - Public Records Requests Training 1 hour
 - COAR Application Reviews 1 hour
 - April Meeting – Tentative Independence
 - June Meeting – Tentative Pendleton
 - August Meeting – Tentative Klamath Falls
 - October Meeting – Tentative North Bend
 - December Meeting – Tentative Salem

2:43 PM

Topics for future board meetings

- Review Resiliency Study Information topic by Stansbury, moved to February 1, 2024, Board Meeting.
- Revenue Options
- No Lead Fuel- Possible working group
- Jim Knight asked how long they will be able to review ASAP Grants and asked to have more than two weeks.
- Holly Herrera will send hold the date invites for upcoming board meetings in 2024.
- Next meeting date is February 1, 2024, Location PDX more information to come.

Board / Staff/ Chair Stephens

Next meeting date is Thursday February 1, 2024
Location PDX more information to come.

2:26 PM

Meeting Adjourn by Chair Stephens

Chair Stephens

2:26 PM

This meeting recording has ended.

Board Administrator

Presentations are attached below

Persons with disabilities who require special accommodations please call (503)378-2238 at least 48 hours before the meeting.

The board will provide time in the meeting as listed on the agenda for members of the public to address the board.

Individuals who would like to provide Public Comment must respond to the call by the Chair for Public Comment under Agenda Item 3. To be recognized by the Chair for Public Comment, please sign in (if in person), use the “raise hand” function, or ask in the Chat to be recognized. Speakers must wait to be recognized by the Chair and then state their name, city of residence, and/or affiliation (if any) before starting to present comments.

Email requests to be included in Public Comment or to submit Written Comment to be sent to the Board prior to the meeting must be received by 5pm the day before the Board meeting at mail.aviation@ODAV.oregon.gov.

Written comment received after that time will be forwarded to the Board after the meeting.

The board may discontinue the public comment after a reasonable time if there is a large number of speakers.

NOTE: Due to the uncertain length of time for each agenda item, the board may hear any item at any time during the meeting.

If a specific time is indicated for an agenda item, an effort will be made to consider that item as close to the time as possible. Scheduled times may be modified if participants agree. Those wishing to hear discussion on an item should arrive at the beginning of the meeting to avoid missing that item.

Attached Presentations:

- 1. COAR Presentation/ action item**
- 2. Legal Counsel “Board 101”**
- 3. Director’s Update**
- 4. Planning and Programs Presentation**
- 5. Finance Update**
- 6. State Airports Manager Update**

COAR Presentation/ action item

1.



CRITICAL OREGON AIRPORT RELIEF (COAR)


OREGON DEPARTMENT OF AVIATION BOARD PRESENTATION

December 7, 2023

- COAR Cycle 8 Application Stats
- Aviation Review Committee Update and Approval

1803.378-4880 1040 25TH STREET, SALEM, OR 97302 WWW.OREGON.GOV/AVIATION OREGON AVIATION

Slide 2




COAR Cycle 8 Application Stats

- Received 66 applications for a total of \$6.9M

Priority 1	\$ 3,259,070.57	36
Priority 2	\$ 670,000.00	4
Priority 3	\$ 2,974,305.50	26
Total	\$ 6,903,376.07	66

- Applications to be reviewed/scored by ARC members December/January, with ARC Consensus meeting for final scoring and ranking to be held end of January
- ARC recommendations to be presented at February 1, 2024 Aviation Board meeting for final approval

Slide 3



Approval of 2023-24 Aviation Review Committee

ACT	ARC Rep. 2023
NWACT	Michelle Bradley
WVACT	Craig Pope
Cascades West ACT	N/A
Lane County ACT	Shelley Humble
South West ACT	Rodger Craddock
Rogue Valley ACT	Mike Doherty
Lower John Day ACT	Jeff Renard
North East ACT	Doug Wright
Central Oregon ACT	Zachary Bass
South Central ACT	Linda Trapper
South East ACT	Haley Walker
Region 1 ACT	Pia Welch

Request the State Aviation Board to approve the 2023-24 ARC as presented

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Legal Counsel "Board 101"

OREGON AVIATION BOARD TRAINING

December 7, 2023
Oregon Aviation Board/Oregon Dept of Aviation
Stacy C. Posegate Sr. Assistant Attorney General



TOPICS WE WILL COVER:

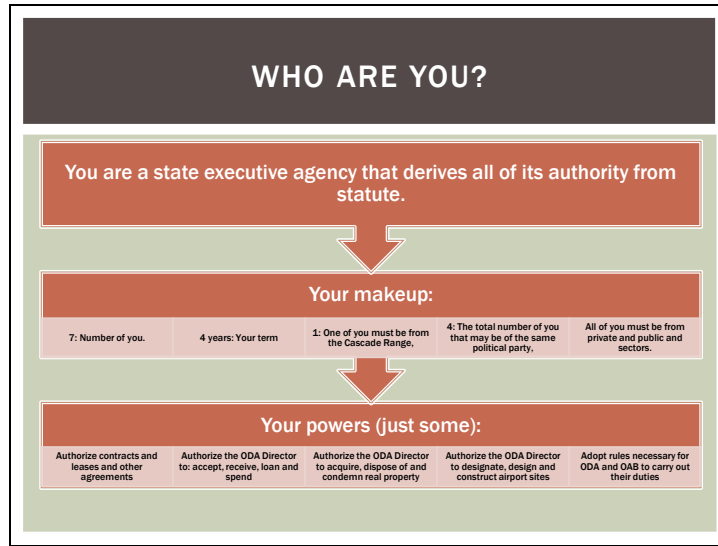
- **Who am I/
Who are you?**
- **Public Meetings**
- **Public Records**
- **Administrative Rules**
- **Litigation/Contested Case
Processes**



WHO AM I



- All state agencies are represented by the AG
 - Representation in any civil, criminal or admin matter where the state is a party or may be interested or to protect the interests of the state
 - Written advice to the State at the State's request
 - AG performs all legal services for the state on request (contracts!)
- Contact Counsel.
- Plus: Employment, Trial and Appellate
- Conversations with the AG based on legal advice are privileged as to nonstate agencies and persons.



General administration of agency is under ORS chapter 835.

BOARD MEETINGS ARE PUBLIC MEETINGS.



“The Oregon form of government requires an informed public aware of the deliberations and decisions of governing bodies and the information upon which such decisions were made. It is the intent of the public meetings law that decisions at governing bodies be made openly.”

**OREGON'S
POLICY ON
PUBLIC
MEETINGS**

**Public has a
right to be
informed about
information
upon which
decisions are
made.**

They also have a right to know the decisions!

This means no one Board member should be acting for the Board. All decisions are made by the Board collectively.

WHAT IS A PUBLIC MEETING

Meeting means the convening of a governing body of a public body for which a quorum is required to make a decision or to deliberate toward a decision on any matter. ORS 192.610 as amended by HB 2805, section 1

Convening means

- Gathering in a physical location
- Using electronic, video or telephonic tech to communicate contemporaneously among participants.
- Using serial electronic written communications among participants
- Using an intermediary to communicate among participants

Deliberation means discussion or communication that is *part* of the decision-making process

**EASIEST EXAMPLE:
A REGULARLY NOTICED BOARD MEETING**

Legislative Updates: 4 bills in 2023

HB 2805

Effective September 24, 2023 except for one section, 7a, regarding complaints to OGEC that is effective January 1, 2024.

1. Updates provisions related to the “meetings” that are subject to Public Meetings Law
2. Requires OGEC to provide training on Public Meetings Law
3. Creates new processes for enforcement
 - a. New Grievance process for the public to file with the public body conducting a public meeting
 - b. Expanded enforcement role for OGEC

HB 2805

1. Updates provisions related to the “meetings” that are subject to Public Meetings Law

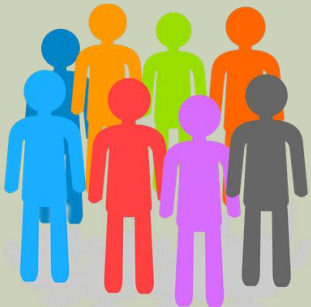
Legislative history indicates these changes were intended to be consistent with the Court of Appeals’ decision in *Handy v. Lane Cnty.*, 274 Or App 644 (2015), *affirmed in part, reversed in part*, 360 Or 605 (2016).

Note: Serial communications and the use of an intermediary are now identified as the type of gathering that is a public meeting. However, it may not be possible to conduct these types of meetings while complying with the requirements of the public meetings law for advance notice and public attendance.

There may be guidance provided by OGEC on the application of these definitions. Section 11 of HB 2805 grants OGEC rulemaking authority to adopt rules as necessary to carry out its duties in enforcing the PML.

PUBLIC MEETING REQUIREMENTS

1. Notice to all stakeholders and other interested person must be given of the time and place of the meeting
2. The public has a right to attend - but not comment
3. The meeting must be recorded, accessible and free. (NEW)
4. All deliberations, decisions and information gathering to reach a decision must be made part of a public meeting, for most matters
5. Must have a quorum (majority) to take action.



SB 11

Effective January 1, 2024

- Applies only to state boards and commissions in the executive department with members subject to Senate confirmation.
- If applicable, when meeting through electronic means, a state board or commission must record the meeting and promptly publish the recorded meeting on a publicly accessible website or hosting service. Accessing the recording must be free. If the state board or commission meets by video, the recording must be by video. If the meeting was by teleconference, then the recording can be audio.
- Does not apply to recording executive sessions.

QUORUM

Quorum = majority of Board member seats (usually).

Refers to the number of persons present

OAB has 7 Members = 4 person quorum

Abstention still means you are present for quorum

Minimum number of concurring votes to pass or reject a motion:

- If 3 members voting, all three must concur
- If 4 to 5 members voting, three votes must concur
- If 6-7 members voting, four votes must concur

PUBLIC MEETING EXAMPLES



At least four Board Members:

- Email each other to discuss the subject of an upcoming meeting
- Use the director as an intermediary to pass information
- Attend a dinner meeting where matters that may be the subject of a decision in the future are discussed
- Meet with Department staff to hear staff reports and recommendations or otherwise gather factual information, even about basic administrative functions. This applies even if the matter is not related to something that requires immediate attention as the information could have some bearing on future decisions.
- Participate in or attend an information or investigation gathering meetings, like airport tours! (except on-site inspections, like COAR grant projects...).

THE PURPOSE OF THE MEETING DEFINES THE MEETING - MORE EXAMPLES

GOAL SETTING

SPECIFIC
MEAURABLE
ATTAINABLE
RELEVANT
TIMELY



Retreats or goal setting session: The Board is deliberating toward a decision on official business or gathering information for making that decision.

Training – depending on the topic. Depends on whether the training is on a subject within the Board's jurisdiction.

Work sessions even though there are no decisions, no motions, no arguments by Board members for a particular position, and no arguments made by the public or directed to the Board concerning a question within the Board's jurisdiction.

Anytime official business is discussed unless exempt

NOT PUBLIC MEETINGS

- Contested case deliberation – following the information gathering portion and prior to decision making
- Meeting to discuss topics outside of your jurisdiction.
- Purely social gatherings – as long as official business is avoided
- On-site inspection of any project or program
- Gathering of national, regional or state association to which the Board belongs



HB 2805, section 2:

Following activities are not a meeting. OGEC to make rules

(m) [The public meetings law does not apply to] Communications between or among members of a governing body that are:

- (A) Purely factual or educational in nature and that convey no deliberation or decision on any matter that might reasonably come before the governing body;
- (B) Not related to any matter that, at any time, could reasonably be foreseen to come before the governing body for deliberation and decision; or
- (C) Nonsubstantive in nature, such as communication relating to scheduling, leaves of absence and other similar matters.

There may be guidance provided by OGEC on the application of these definitions. Section 11 of HB 2805 grants OGEC rulemaking authority to adopt rules as necessary to carry out its duties in enforcing the PML.

PUBLIC MEETINGS?







- “Serial” email conversations**
- Phone calls**
- Lunch meetings**
- Retreats**
- Ski trip where officially business is Inadvertently discussed**



CONTROL OF PUBLIC MEETINGS

- Chair has authority to keep order and to impose reasonable restrictions necessary for efficient and orderly conduct of a meeting.
- Can regulate order and length of appearance
- Can limit testimony to relevant points
- Persons who do not comply with Chair's rules or cause a disturbance can be asked to leave
- Includes control of electronic equipment – but public can record the meeting unobtrusively



 Public meetings that are closed to the public	EXECUTIVE SESSIONS *NO EXECUTIVE SESSION MAY BE HELD FOR THE PURPOSE OF TAKING ANY FINAL ACTION OR MAKING ANY FINAL DECISION* UNLESS OTHERWISE ALLOWED....
 Cannot take any final action or make a final decision.	
 But can come to a consensus – public just needs to know the result of the discussion.	
 Meeting is still recorded.	
 Media is allowed.	
 Allowed only in limited circumstances	

WHEN IS AN EXEC SESSION ALLOWED?

- Real Property Transactions - meet with person designated to negotiate on the agency's behalf. Sale of ODA Salem Property....
- Consulting with legal counsel on active or pending litigation
- To review exempt public records
- **NEW!!!** To consider matters relating to the safety of the governing body and of the public body staff and volunteers and the security of the public body facilities and meeting spaces
- **NEW!!!** To consider matters relating to cyber security infrastructure responses to cyber security threats.
- Agent appointment

HB 2806(1)((p)(o) (effective July 2023)

Also:


- **Hiring, disciplining or firing of an officer, employee, staff member or agent**
 - **Must be an opportunity for a public comment if hiring an officer**
 - **Cant use to fill vacancy for elective office, or any public committee, commission or other advisory group**
 - **Individual may request a public hearing**
 - **Litigation**

- **Review and evaluate performance of an officer employee or staff member. But individual may request a public hearing.**



CONFIDENTIALITY OF EXECUTIVE SESSION

- **Still a public meeting but everything discussed is confidential**
- **Documents reviewed may be exempt from disclosure as a public record**
- **Media allowed to attend but:**
 - **Board can require media not to report on contents of executive session but must announce restriction before starting executive session.**
 - **Media has no right to copies of exempt documents being reviewed.**
 - **Media has no right to record executive session.**
 - **Media may report on all other matters and any additional matters discussed that were not part of your notice. Keep discussion on topic!**



But be aware that they may report if you discuss matters outside what is noticed and it may trigger additional investigations into nonexempt matters!

EX SESSION PROCEDURES

Calling an Executive Session:

- ✓ Chair will announce that Board is going into executive session pursuant to ORS 192.660 and:
- ✓ The specific reason for the session and statute for each subject discussed
- ✓ Board will be returning to open meeting to make a final decision, and estimate the time.
- ✓ Tell media what may not be disclosed.

EX SECTION PROCEDURES

Coming back into open session

- ✓ **Board must to return to open session to vote.**
- ✓ **Must make reasonable efforts to ensure public has notice you are back.**
- ✓ **If you are back too early or too late, take reasonable efforts to give actual notice to interested persons that you are coming back.**
- ✓ **May require postponement**

EMERGENCY MEETINGS

- Meeting called with less than 24 hours notice
- Notice requirements are reduced
- Actual emergency must exist justifying less than 24-hours notice
- Purpose of the meeting defines whether its an emergency
- Board member inconvenience is not an emergency
- Court of Appeals will scrutinize heavily
- Emergency as to one matter does not mean emergency as to other tangential matters





ENFORCEMENT OF THE PML

Unlike the Public Records Law, the Attorney General **does not have any role in** enforcing the Public Meetings Law. Attorney General acts only as legal counsel to state agencies

**ENFORCEMENT OF THE PML -
CIVIL ACTIONS**

ANY PERSON affected by a decision reached in violation of the PML may sue the decision-making body in circuit court.

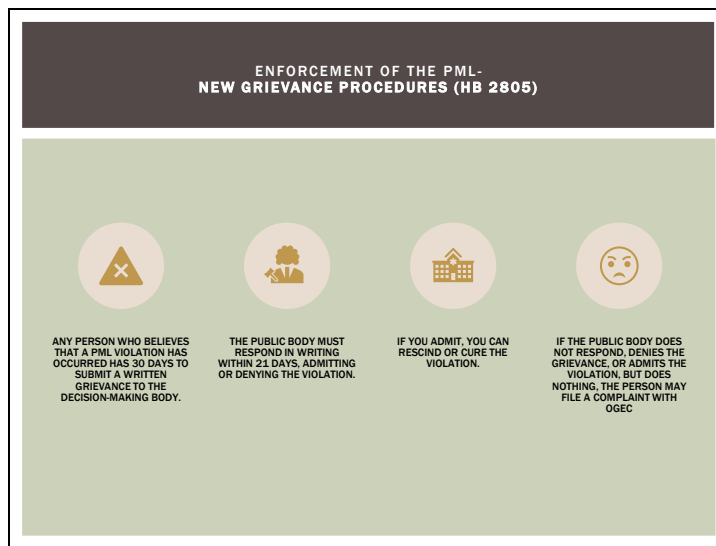
What can a court do if it finds a violation of Public Meetings law?

- Void the challenged decision if no other relief is available.
- Enjoin further violations 
- Award attorney fees and costs to the person who brought the suit – may be 10s of thousands of \$s. 
- **Any single commission member may be jointly and severally liable to the agency for the attorney award fee if Court finds that member acted intentionally or willfully.**

Any person affected by a decision whether final or not, can sue the agency and the individual Board members to compel performance with the law or for an order finding that there is a public meetings law violation

This suit must be filed within 60 days of the date the decision becomes public record – a very short deadline.

(ORS 192.680)



Complaint must identify the complaining party and the basis for the grievance, plus any additional information OGEC adds.

The public body can do one of two things in the written response to a grievance:

1. Acknowledge it received the grievance and deny that a PML violation occurred. This response needs to explain why the grievance did not accurately reflect the facts and circumstances of the body's conduct, or if the response admits that the facts in the grievance were accurate, the public body needs to explain why those facts do not equate to a violation of the public meetings law.
2. Acknowledge it received the grievance and Admit that there was a PML violation. The response needs to disclose the steps that will be taken to cure the violation. The bill identifies two specific cures, but also indicates these are not the only options:
 - a. The governing body may rescind a decision made in violation of the law.
 - Acknowledge at a properly noticed public meeting with 45 days of the original decision that the original decision was made in violation of the public meetings law, good cause exists not to rescind the decision and the governing body's practices will be modified to ensure future violations do not occur.

If OGEC finds a violation, it has options and may order:

- a. The governing body may rescind a decision made in violation of the law.
- b. Acknowledge at a properly noticed public meeting with 45 days of the original decision that the original decision was made in violation of the public meetings law, good cause exists not to rescind the decision and the governing body's practices will be modified to ensure future violations do not occur.

Board may be able to correct its mistake by holding a public meeting that complies with the law to reinstate the decision. If so and based on past practices:

Board must actually reconsider and deliberate the issue. Cannot just rubber stamp the decision.

A reinstated decision is effective from the date of its initial adoption

ENFORCEMENT OF THE PML-
CIVIL PENALTIES

For violations, OGEC may set civil penalties up to \$1,000.

However, if violation occurred as a result of the governing body acting upon the advice of the public body's counsel, a civil penalty may not be imposed. When in doubt, always wise to confer with your contact counsel.

Civil penalty is the personal liability of that member, and may not be paid by the governing body or the public body.

IMPORTANT AMENDMENTS TO THE PML

- 1) HB 2805 expands the enforcement authority of OGEC. Previously OGEC could only investigate complaints of an executive session violation. Now, OGEC can investigate any complaint of a Public Meetings Law violation if a complaint is timely filed, otherwise it must be dismissed.
- 2) OGEC may open an investigation on its "own motion" with out a filed complaint if the violation involves an executive session violation.
- 3) Previously, OGEC had authority to impose a civil penalty up to \$4,000 for a violation of the executive session. OGEC can impose this penalty for any violation of the PML.
- 4) Clarification/confirmation that a civil penalty for violation of the public meetings law imposed on an individual member of a governing body is the personal liability of that member, and may not be paid by the governing body or the public body.
- 5) If OGEC finds a PML violation by a public official, it is required to notify the public body on which that person serves.
- 6) If OGEC finds a PML violation by an appointed public official that was committed with intentional disregard of the law or willful misconduct, the finding is prima facie evidence that the public official is unfit to serve where removal from that position is authorized for cause by law or under section 6, Article VII of the Oregon Constitution.

Legislative Updates: 4 bills in 2023

HB 2805

Effective September 24, 2023 except for one section, 7a, regarding complaints to OGEC that is effective January 1, 2024.

1. Updates provisions related to the "meetings" that are subject to Public Meetings Law
2. Requires OGEC to provide training on Public Meetings Law
3. Creates new processes for enforcement
 - a. New Grievance process for the public to file with the public body conducting a public meeting
 - b. Expanded enforcement role for OGEC

Prior to this bill, it was acceptable practice to rescind or withdraw the earlier decision, but then consider the same matter at a properly noticed and conducted public meeting and reach the same decision. Not sure if that's still true.

**OGEC can investigate on its own motion if it has reason to believe there is a violation – previously, needed a complaint. SB 207 eff 1/24; OGEC required to make violations available online and searchable
Any person can file a complaint within 30 days of the violation HB 2805, sec 5**

Section 6. Incompetency or malfeasance of public officer. Public officers shall not be impeached; but

incompetency, corruption, malfeasance or delinquency in office may be tried in the same manner as criminal offenses, and judgment may be given of dismissal from office, and such further punishment as may have been prescribed by law. [Created through initiative petition filed July 7, 1910, and adopted by the people Nov. 8, 1910]

HANDY: A GUIDE AND A TALE OF CAUTION

Lawsuit against Lane County Board of Commissioners for violations of public meetings law because a quorum of commissioners met privately by email to deliberate toward a ultimate decision

No. 73 November 25, 2016 605

IN THE SUPREME COURT OF THE
STATE OF OREGON

Rob HANDY,
Respondent on Review,
vs.
LANE COUNTY,
Jay Bozlevich, Sid Leiken
and Faye Stewart,
Petitioners on Review.
(CC 161213685; CA A153507; SC S063725)

En Banc
On review from the Court of Appeals.*
Argued and submitted June 14, 2016.

HANDY CONT.

➤ **Background:**

- **5 person Lane County Board of Commissioners, a quorum = 3.**
- **April 2011: Lane County Circuit Court enters \$350,000 judgment against Lane County Board of Commissioners for public meetings law violation and \$20,000 against County Commissioner Handy.**
- **April 2012: Handy runs for reelection to the Lane County Board of Commissioners**
- **May 2, 2012: Lane County District Attorney receives letter complaining that Handy pushed local businessman to "donate" money to pay off prior judgment**
- **2 hours later: Local media makes PR request for the letter**

HANDY CONT.

- **May 2, 4:04-7:30 p.m.:** County Administrator talks separately to Comms. Bozevich and Stewart about the letter and the public records request, both ask about potential liability.
- **7:38 p.m.:** County Administrator emails Commnr. Lelken and Bozevich, with a cc to the DA:

"Commissioners, I've now had a chance to review the letter we received today from [the businessman's attorney]. **Commissioner Stewart** asked me about County liability. **Commissioner Bozevich** had the same concern when I spoke to him earlier. I would like to consult with [the district attorney] and/or [the senior county counsel], but at the very least it makes me concerned about what else may be occurring that we aren't aware of. I'd like to give some advice to Finance as to what they should do with the monies we've already received. I'm also concerned that it will look like we are trying to hide something if we refuse the public records request. Our practice is to use the exceptions if they exist, but it feels wrong in this case. I'll consult with counsel on all of these issues and get back to you tomorrow."

Handy v. Lane Cnty., 360 Or. 605, 609-10 (Or. 2016)

HANDY CONT.

➤ **12 minutes later Leiken replies to all:**

"I just read the letter from [the businessman's attorney] and I am very concerned as well with regards to the county's potential liability. I will be in tomorrow morning and look forward to what you find out."

➤ **May 3, 5:56 a.m. Bozevlch replies to all:**

"I will be available to come in the morning also. Looking forward to a quick decision on disclosure. Seems like the actual letter to [plaintiff] putting him on notice is already putting any investigation at risk and I do not want to be seen as covering up the receipt of funds from a possible illegitimate source."

HANDY CONT.

- **May 3, 7:00 a.m.:** DA advised that letter may be exempt from disclosure but Commission could decide to release
- **7:00 a.m. to 9:00 a.m.** County Administrator confers with Commrs' Leiken and Bozevich to decide whether to hold an e-meeting (and presumably Stewart).
- **May 3, 9:00 a.m .** Emergency Meeting held. Commissioners Bozevich, Leiken and Stewart attend. Handy and Sorenson did not.
- **Commissioners vote by a quorum to release letter.**

HANDY CONT.

Handy sues Lane County and Commissioners Stewart, Leiken and Bozlevich for public meetings laws violations based on:

- 1) Failure to give sufficient notice of the May 3 meeting or sufficient explanation for holding the meeting and by not issuing minutes (no resolution)**
- 2) The communications among the three Commissioners that preceded the meeting violated ORS 192.630(2) because a quorum of the commissioners had met privately to decide or deliberate toward deciding (1) whether to meet on an emergency basis and (2) whether to release the attorney's letter.**

HANDY: THE HOLDING

No public meetings violation because the evidence did not show a quorum had met as to whether to disclose the letter. Commissioner Leiken's email did not mention disclosure, only concern for liability. Stewart never made any oral or written statement regarding disclosure and no other evidence that County Administrator discussed the merits of the meeting with any other Commissioner. But, this was based on lack of evidence only.

THE LAW OF THE CASE

A quorum of a public body can "meet" by means of serial communications if each member of the quorum communicates with the other members for the purpose of deciding or deliberating toward a decision

No more secret meetings on police rules, Oregon agency says

Updated May 18, 2017; Posted Mar 4, 2017



Meetings about Oregon's rules for police officers won't happen in secret anymore, according to the Department of Public Safety Standards and Training. A 19-member work group held eight closed meetings last year to discuss when and how officers should lose their badges. The department's board grants and takes away police certifications in Oregon. This photograph is from its Basic Police Academy for new police officers. Beth Nakamura/Staff(Beth Nakamura/Staff)

Eugene Weekly **A Need for Transparency**

An investigation into issues with the 4J school board's meetings brings up importance of public records retention posted on 10/28/21



In August, Eugene School District 4J's board of directors was accused of violating public meetings law by holding meetings via text and other messages — aka discussing school business without other members of the board or the public present or even notified of the meeting.

Public records obtained by *Eugene Weekly* and interviews with board members revealed that while public meetings law may have been violated, the discussion in question was quickly stopped. Board members say any violation was accidental. The investigation did bring up concerns on the importance of retaining public records and of transparency from elected officials.

Willamette ESD Board ordered to public meetings training

Tracy Lewis, *Statesman Journal* | Published 11:13 a.m. PT May 22, 2014 | Updated 6:26 p.m. PT May 28, 2014

Willamette Education Service District Board members could have been fined as much as \$42,000 for multiple violations of Oregon's public meetings law.

Instead, they must attend a training on the laws, the Oregon Government Ethics Commission has decided.

The commission launched an investigation a year ago, after the *Statesman Journal* reported that the board quietly hired a new superintendent, discussing his candidacy, hiring and contract in illegal closed-door sessions held over the previous 10 months.

The law allows for closed-door meetings, called executive sessions, under certain conditions and when certain requirements have been met.

WEST didn't meet those requirements, and the board strayed from the topic it had stated would be covered, the ethics commission found last month.

Board members Anne Wylie, Phil Frey, Larry Trout and Alex Sanchez each were charged with six violations. Ken Hector and Frank Penick, Jr. each were charged with five violations. Mark Tumbo was charged with four violations. Dixon Bledsoe was charged with three violations and Nick Kimball was charged with one violation.

Each violation carries a fine of as much as \$1,000.

Kimball's case still is pending, ethics officials said.

The eight other board members must attend the training, which will be offered by the ethics commission and focus on executive sessions. If they fail to complete the training, each will be fined \$150 or \$200, depending on the number of violations WEST board members and officials could not immediately be reached for comment. They previously have said they were acting on the advice of their lawyer.

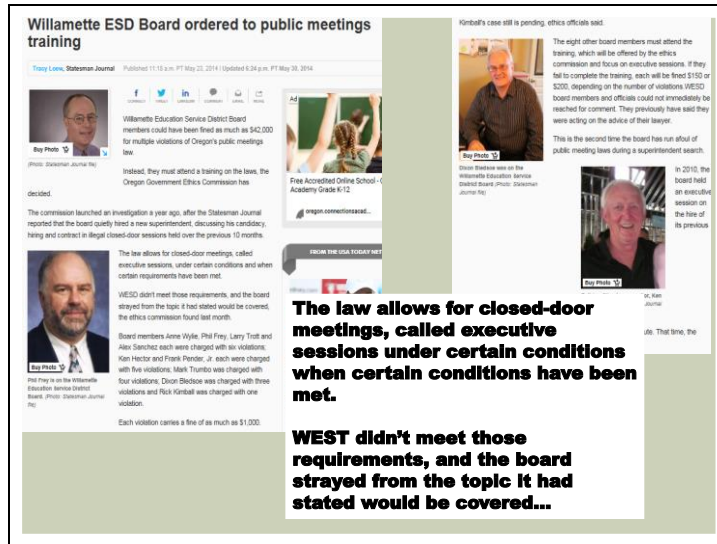
This is the second time the board has run afoul of public meeting laws during a superintendent search.

In 2010, the board held an executive session on the hire of its previous superintendent.

That time, the

The law allows for closed-door meetings, called executive sessions under certain conditions when certain conditions have been met.

WEST didn't meet those requirements, and the board strayed from the topic it had stated would be covered...



Lawyers Working for Attorney General Ellen Rosenblum Plotted to Keep Public Meetings Secret (Willamette Week Jan 2017)



Marion County Circuit Judge Claudia Burton ruled Jan. 17 that DOJ withheld information from the public relating to SAIF's firing of its agency director. Burton blamed the "bad advice" offered by DOJ lawyers for violations that "eviscerated" state transparency laws.

- The DOJ lawyers advising SAIF, relied on a 2013 DOJ memo laying out a road map for agencies with the subject line: "Dealing with at-will exec directors without public discussion."
- Burton found the DOJ's legal advice placed SAIF's desire for secrecy ahead of the public interest.
- "The policy behind the [public records and meetings law] is that the public needs to see the deliberations and the public needs to know what information the decision was based on," Burton said. "It eviscerates the act if a decision of this level of public interest can be deliberated on and the information kept behind closed doors in violation of the act."

PUBLIC RECORDS LAW
“Public Record”

Every persons has a right to inspect any public record of a public body of this state, except as other expressly provided.”

PUBLIC RECORDS

A public record is *any writing* containing information relating to the conduct of the public's business prepared, owned, used or retained by a public body (board)

Any writing means:

- regardless of its physical form or characteristics
- Includes electronic records, photos and text messages



PUBLIC RECORDS REQUESTS

Any *person* may request records

Agency has a general obligation to respond within 10 business days and complete its response “as soon as practicable and without unreasonable delay.”

Response means:

- ✓ Disclose all non-exempt records
- ✓ Identify exemptions by law
- ✓ Notify request of appeal rights



PUBLIC RECORDS REQUESTS

Tons of exceptions! But must be justified by the agency and construed very narrowly. Generally, they do not prohibit disclosure.

- ❖ No implied exceptions
- ❖ Narrowly construed
- ❖ Most are discretionary and are weight against public interest

Assume that any record that you create, intended or not, will be made available to the public if requested.

PRL ENFORCEMENT

- Any person may petition the AG for a public records disclosure order
- If AG issues a Disclosure Order, the requestor enforces, by circuit court if necessary.
- Failure to comply:
 - Petitioner gets attorney fees regardless of who filed the suit and who prevails
 - DOJ does not defend - PRL lawsuits can get expensive, fast!
- AG PRL website: <https://www.doj.state.or.us/oregon-department-of-justice/public-records/public-records-and-meetings-law/>

Includes fee petitions

For Eight Months, Congresswoman Val Hoyle Has Not Produced Public Records Held on Her Personal Devices to the State Agency She Once Ran. Willamette Week. August 30, 2023

Her successor's administration asked for the records twice. Hoyle says she never saw the inquiries.



"It's not customary, in my experience, to ask the outgoing administration for all public records held on personal devices," says Clark, "because elected officials are informed through training and policy that personal devices should not be used to conduct public business....An outgoing administration would presumably know that if they did use a personal device at any point during their administration to conduct public business, those records would have needed to be captured and retained within state agency environments well before the end of the administration." That would suggest that BOLI's incoming leadership had reason to believe Hoyle did use personal devices to conduct state matters."

- [For Eight Months, Congresswoman Val Hoyle Has Not Produced Public Records Held on Her Personal Devices to the State Agency She Once Ran \(wweek.com\)](https://www.wweek.com/news/2023/08/30/for-eight-months-congresswoman-val-hoyle-has-not-produced-public-records-held-on-her-personal-devices-to-the-state-agency-she-once-ran/)

Request by BOLI to Hoyle to produce all text messages on Rep Hoyle's personal devices relating to BOLI when she left for congress. Although the State Archivist said this was an unusual request, Hoyle agreed to produce her texts.

Personal emails....dont use them!



Four different judicial proceedings all relating to Gov Kitzhaber's personal and professional emails. Including:

- Oracle America Inc. v Gov. Kate Brown seeking all emails identified as exempt and challenging the state's search and compilation of emails. MSJ granted, but mostly because tens of thousands of emails already disclosed.
- Federal criminal subpoena seeking personal emails. Motion to quash granted because of personal privacy rights)
- Separate Oracle case questioning whether the state could review Kitzhaber's emails held on DAS server. Court ruled that state could not review the records.
- Hayes v Oregonian: Hayes tried to block a public records request for her emails saying she wasn't a public official. Hayes required to disclose records and pay \$127,760 in fees

ADMINISTRATIVE RULES

- **A rule is a law adopted by the agency that generally applies to persons outside of the agency**
- **Used to interpret a statute, create a procedure or establish a policy**
- **Board approves and directs ODA staff to initiate rule making**
- **Staff prepare the text of the rule, follows extensive procedures, including convening work groups of stakeholders, then presents a final version to the Board along with public comment on the rule for its approval (for permanent rules.)**
- **Or, staff may ask the Board to adopt an emergency rule.**
- **Board votes to adopt, amend or repeal rules in its regularly scheduled public meeting.**

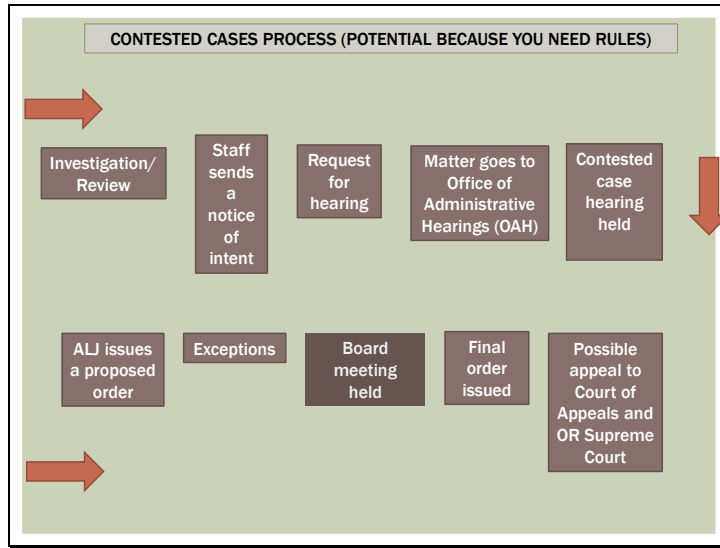
LITIGATION AND OTHER JUDICIAL PROCESSES

- **Circuit court cases**
- **Contested Case Proceedings**
- **Land Use Board of Appeals**



CONTESTED CASES

- An agency cannot enter a final order denying or terminating a license or permit or issuing a civil penalty without offering a contested case
- Final order = memorialization of final action in writing
- Types of Board final orders that may trigger a contested case:
 - Any civil penalty under OAR 738-140-0020; e.g. penalties for violating your rules relating to the registration of pilots and aircraft and the sale of aircraft, violation of licensing requirements for aircraft dealers, violation of rules regarding landing on public highways, vpds, etc.
 - Denial or termination of licenses, e.g. public use airport license or an aircraft dealer license



AVOID EX PARTE COMMUNICATIONS

Applicants, licensees, others may (WILL) attempt to contact you with information about a pending proceeding.

This is an ex parte communication because you now have information that is not part of the record, the other party has not had a chance to respond, any you may unfairly rely on the information!

Courts generally find ex parte communications to be improper and may be grounds for overturning a decision.

If you get a call, an email, a text, anything from someone with information about a pending matter, disclose, disclose, disclose!



ANYTHING ELSE?

Unsure if you are in a grey area?

Avoid or Ask!

Director's Update



Slide 2



Director's Update
Education/Workforce/Economic Development

STEM/Community College

- Creating inventory.
- Education@odav.Oregon.gov
- Please supply information.

Economic Development



Slide 3

OREGON
DEPARTMENT OF ECONOMIC DEVELOPMENT

Director's Update

Economic Development


Jump Aero

- Conducted a quick study for Jump Aero that led to press release to talk about potential needs for a VTOL for emergency services.
- Non-binding MOU.
- Potential testing opportunities in the future.

FAST

More Than 100 Electric Aircraft for First Responders May Be Headed to Oregon

ORANGE COUNTY, Calif. (AP) — A group of emergency responders is looking for a way to get more than 100 electric aircraft to Oregon for use in emergency services.



Slide 4

OREGON
DEPARTMENT OF ECONOMIC DEVELOPMENT

Director's Update

Economic Development

Sustainable Fuels

- Letter of support for Hood Aero's application for the Fueling Aviation's Sustainable Transition (FAST) Grant program.

Outreach

- City of Wilsonville
- AOC, LOC
- City of Aurora, Clackamas County

A plane fueled by fat and sugar has crossed the Atlantic Ocean

By Sarah Davis




Slide 5

OREGON
DEPARTMENT OF ECONOMIC DEVELOPMENT

Building Rural Communities

Oakridge Update




Slide 6

OREGON
DEPARTMENT OF AVIATION

Airport of the Future

Oakridge Update

- Multiple opportunities
 - Anticipate Connect Oregon application in January.
 - Likely submission of EDA grant in January.
 - Leverage micro-grid project.
 - Rural broadband.
- Status
 - 2-page summary of project anticipated this week.
 - Socializing with partners for letters of support.




Slide 7

OREGON
DEPARTMENT OF AVIATION

National Interest

Oakridge Update

- NASA
 - Productive conversations held on Nov 17th.
- AAM Interagency Workgroup
 - Successful presentations on Nov. 27.
 - List included: USDOT, NASA, TSA, DHS, FEMA, Whitehouse, NTIA, NOAA, DOE, FAA, DOD, DOI, FCC, DOI, USDA, and others.
- Local leaders engaged and interested.



Slide 8

OREGON
DEPARTMENT OF AVIATION

THANK YOU!
QUESTIONS?

 (503)378-4880  3040 25th STREET, SALEM, OR 97302  WWW.OREGON.GOV/AVIATION    ORAVIATION

Planning and Programs Manager Update

Slide 1



OREGON DEPARTMENT OF AVIATION

State Aviation Board Meeting
December 7th, 2023
Planning & Programs Manager Update

 503.325.4888
  1040 SE 7th STREET, SALEM, OR 97302
  WWW.OREGON.AVIATION.ORG
  OREGON.AVIATION

Slide 2



Planning & Grants Team



Andria Abrahamson
Grant Programs Coordinator
& Fiscal Analyst



Brandon Pike
Aviation Planner




Vacant
Grant Programs Coordinator
PMP & PEP Coordinator



Alex Thomas
Planning & Programs
Manager

Slide 3



Position Description Revisions

Revisions to Two Program Position Descriptions:

- ✦ One position to be modified to include Pavement Maintenance and Pavement Evaluation Program coordination duties:
 - ✦ Duties shared between coordinator and manager.
- ✦ One position to be modified to include contract administration duties:
 - ✦ Duties shared between coordinator and manager.

Coordinator	Coordinator	Planner	Manager
Aviation System Action Programs (ASAP)	Aviation System Action Programs (ASAP)	Planning	Aviation System Action Programs (ASAP)
Programs Evaluation Program (PEP)	Contract Administration	Security/Analysis	Contract Admin
Aviation Maintenance Program (AMP)	Program Budget	Geographic Information Systems (GIS)	Planning
			Aviation System Mobility
			State & County Relations



Slide 4

OREGON AVIATION

Oregon Administrative Rules (OAR)

- Oregon Administrative Rules (Chapter 738) coordination transitioning from Oregon Department of Transportation (ODOT) to Oregon Department of Aviation (ODAV).
 - ODAV retains \$16,900+ per biennium.
 - Transition temporarily to Alex Thomas as of 1/1/2024.
- ASAP rules (OAR 738-124) in review with ODAV team and Department of Justice (DOJ) to provide clarification and simplification of program rules.

Slide 5

OREGON AVIATION

Contract Administration

- Contract administration being transitioned from ODOT to ODAV.
 - ODAV retains \$158,000+ per biennium.
 - Planned transition date scheduled for 4/1/2024.
 - Transition extension available if needed to ensure adequate consistency and training opportunities for incumbent.
- In-house contract administration provides an opportunity for quicker turnaround time for projects, direct line of communication, and team-based collaboration within ODAV.
- DOJ partnership strengthening to strive towards consistent turnaround times with applicable contracts (over \$150,000).

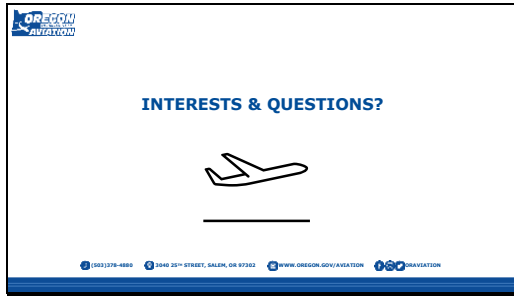
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OREGON AVIATION

Land Use Policy & Procedures

- Department of Land Conservation and Development (DLCD) lead multi-state agency land use network.
 - Ensuring alignment and consistency for land use policy across the state
 - First meeting scheduled December 12, 2023
- DOJ and ODAV review of internal land use policy to ensure defined and consistent management and follow up of statewide aviation related land use policies and procedures.

Slide 7F



Financial Update

Slide 1



Slide 2

Financial Update-2023 Annual Report

2023 ANNUAL REPORT

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Slide 3

Financial Update-2023 Annual Report

03

ABOUT US

MISSION

ODA is the state's aviation specialist providing:

- LEADERSHIP** - ODA provides leadership and guidance to the aviation industry.
- ADVOCACY** - ODA advocates for the aviation industry and its interests.
- FACILITATION** - ODA facilitates the development and implementation of aviation programs and projects.
- OVERSIGHT** - ODA oversees the performance of the aviation industry.

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Slide 4

Financial Update-2023 Annual Report

04

DIRECTOR'S STATEMENT

DAVID D. WILLIAMS
Director

"GETTING TO UNDERSTAND THE VIBRANT COMMUNITIES AROUND THE AIRPORTS HAS BEEN A PRIORITY."

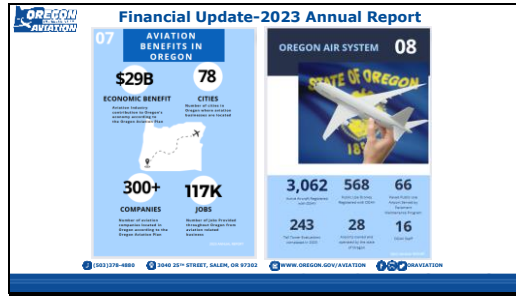
The airports surrounding metropolitan areas, like Salem, are among the airports in Oregon. Our country is a global leader in aviation and we have the opportunity to not only reap the benefits of aviation but also to lead the world in aviation. Our airports are the heart of our communities and the backbone of our economy. We are committed to understanding the vibrant communities around the airports and the importance of aviation to the state's economy.

1 503.378-4880 2 1040 25th STREET, SALEM, OR 97302 3 WWW.OREGON.AVIATION 4 ODA AVIATION

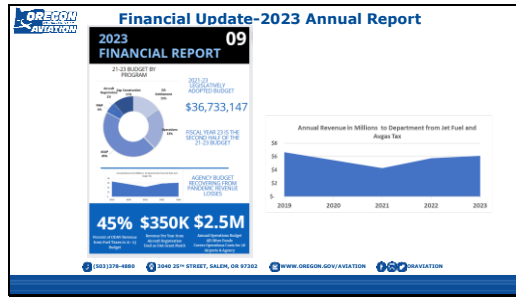
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Slide 6



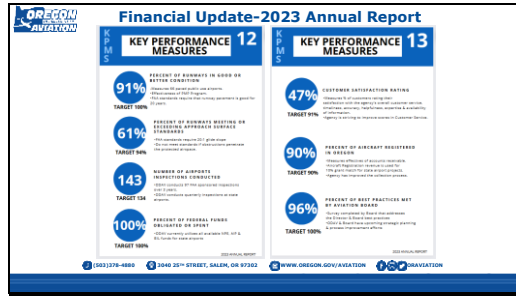
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Slide 8



Slide 9



Slide 10

Financial Update-2023 Annual Report

CONTACT US

WEB
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PHONE
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ADDRESS
3040 25th St SE
SALEM, OR 97302

Questions?

2022 ANNUAL REPORT | 2023 ANNUAL REPORT

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Airport Manager Update

Slide 1



Slide 2



Slide 3




Slide 4

Airport Operations and Leasing

- Driver's Training Program(s), V/PD Rule
- Volunteer Program Overhaul
- 5010 Inspections and Master Record Updates
- New Lease / Hangar Construction Overhaul
- Continuing CPI updates

Slide 5

Surface Incident Mitigation - Update




- 1 V/PD and 0 Runway Incursions since last meeting (11/02/2023)
- Continuing work with airport groups on outreach, education, and improvements to mitigate V/PDs from state and private property
- ODAV is creating driver training for state property and movement area access
- FAA recommendations received 2/13

Slide 6

Surface Incident Mitigation – Rule Update


- Public Comments
 - Ended November 11th 2022
- Public Hearing Held
 - October 20th 2022
- Final rulemaking will be brought to the Board in [June](#), to coincide with implementation of the drivers training program



Slide 7

Project Updates – Obstruction Removal

- Aurora State Airport
 - EA Rewrite – Full Chapters addressing FAA's comments sent back to the FAA, waiting FAA's response
 - Appraisals and easement acquisition will begin after EA is complete
- Mulino State Airport
 - Survey completed, contracting for appraisals and easements
 - Trees with easements/on our property are [out to bid, opening 12/14](#)
 - Trees will be removed prior to nesting season 2024
- Chiloquin State Airport
 - Survey ongoing, contracting for appraisals and easements



Slide 8

Upcoming Project Updates

- Aurora State Airport – Surface Seal and Markings Project
 - 1 Bid received, given intent to award.
 - Construction TBD, likely in summer 2024 due to weather
- Aurora Airport Master Plan
 - FAA approval on forecast received!
 - Preparing for next PAC meeting, more info soon.
- Cape Blanco Runway Rehabilitation


Slide 9

Airport Work – Upcoming Closures

- Aurora State Airport – Surface Seal Project
 - Winter 2023 – Spring/Summer 2024
- Cape Blanco, Prospect, Siletz Bay Runways
 - Spring/Summer 2024
- Multiple State Airports – Obstruction Removal
 - October 1 2023 - March 31 2024
- Aurora Runway Rehabilitation
 - Open House held November 30th, 2023
 - Construction in 2025



Slide 10



SOAR Project Prioritization

- Priorities
 - Safe and Operational Runways
 - Cape Blanco Runway and Electrical Rehab (Cycle 4)
 - Prospect Runway Reconstruction (Cycle 2 – Connect OR Match)
 - Oakridge Runway Reconstruction **(New request for Cycle 5)**
 - Obstruction Removal
 - Cape Blanco (PAPI OCS, RSA/ROFA, Approach/Transitional Surfaces)
 - Bandon, Cascade Locks, Crescent Lake, McKenzie Bridge, Nehalem Bay, Oakridge, Pinehurst, Prospect, Santiam Junction, Siletz Bay, Toketee, Wakonda Beach
 - Remaining prior approved projects (cycles 2, 3, 4)
 - Mulino waterline extension, Pacific City drainage/pavement/access, ALP updates.

Slide 11



