

**Port of Hood River Commission
Meeting Minutes of July 24, 2012 Regular Session
Marina Center Boardroom
5:00 P.M.**

THESE MINUTES ARE NOT OFFICIAL until approved by the Port Commission at the next regular meeting.

Present: Commissioners Jon Davies, Fred Duckwall, Rich McBride, Brian Shortt, and Hoby Streich; Attorney Jerry Jaques; from staff, Michael McElwee, Steve Burdick, Liz Whitmore, and Laurie Borton

Absent: From staff, Mellissa Halseth

Media: Ben McCarthy, Hood River News

1. CALL TO ORDER: The Regular Session meeting was called to order at 5:01 p.m. by President Jon Davies.

a) Modifications, Additions to Agenda: Executive Director Michael McElwee noted there may be action items as a result of Executive Session.

2. Public Comment: Bob Wendler thanked the Commission and staff for the extended kite privileges at the Event Site. He offered two examples of stressors-- the back and forth decisions on use of "the box" and kites carrying gear over kids and in an area where windsurfers are learning. Wendler informed the Commission that he is willing to help in any way. He also mentioned The Spit jetty is becoming breached; and suggested one way to alleviate the congestion at the Event site would be to disperse the schools back to The Hook and The Spit but that each school would staff an informational kiosk booth at the Event Site. Wendler also suggested a buoy line 'safety corridor' at the Event Site.

President Davies then opened public comment on the cable park proposed for the Nichols Boat Basin. Brian Wheeler stated he was glad the Port was considering a cable park, which he believed would augment the kite schools. Wheeler also said a cable park would be mutually beneficial for all activities. Brent Foster, representing Friends of the Waterfront, stated he had concerns with the information the Port had but also with information that it didn't have. He said that 80% of the area would be blocked off for use by the cable park and that the remaining 20% was not viable for other uses. He recommended the Port conduct a public survey of users that might reflect different opinions of the proponent and opponent stakeholder groups that will be invited to present information to the Commission. Linda Maddox then inquired how the stakeholder process would work and Davies responded there would be discussion later in the meeting. An audience member also inquired as to how many cable parks were in public waterways?

3. Consent Agenda:

- Approve Minutes of July 10, 2012 Regular Session Meeting
- Approve Committee Assignments [Airport: Duckwall, Streich; Budget: All; Finance: McBride, Duckwall; Personnel: Davies, Streich; Waterfront Rec: McBride, Shortt; Marina Ad Hoc: Davies; Urban Renewal: Shortt, Streich; Gorge OEN: McBride, ex officio]
- Approve Re-appointment of Jeff Nicol to the Port of Hood River Budget Committee for a Three-Year Term Expiring June 30, 2015
- Approve Lease with Hood River Yacht Club to Lease the "C" Dock Storage Racks
- Approve Lease with Hood River Yacht Club for Club House
- Approve Contract Amendment No. 1 with America Cleaning Solutions, Inc. to Add Cleaning and Maintenance Services for the Maritime Building
- Approve Right-of-Way Dedication to Hood River County in a Form Acceptable to Port Legal Counsel
- Authorize Purchase of John Deere Mower from Sheppard's in the Amount of \$9,600
- Approve Contract Amendment No. 2 with Bear Inspection & Consulting, LLC in an Amount Not to Exceed \$45,000

- Approve Accounts Payable to Jeannette M. Launer, Attorney in the Amount of \$697.50; Slca Consulting Civil Engineers In the Amount of \$1,152 for a Total of \$1,849.50

Motion: Move to approve Consent Agenda, as amended.

Move: Duckwall

Second: McBride

Vote: **Aye:** Davies, Duckwall, McBride, and Streich

Abstain: Shortt

MOTION CARRIED

4. Commissioner, Committee Reports: None.

5. Director's Report: McElwee provided the following highlights:

Staff & Administration – Interviews for the Finance Manager position have begun. The rotating Port seat on the Mid-Columbia Economic Development District is now back to Hood River and McElwee asked that any Commissioner with an interest in attending quarterly meetings contact him. Staff could also fill the seat. McElwee presented the "State of the Port" presentation to Rotary on July 19 and that he would welcome any feedback. Davies inquired about the August 7 visit by the Division of Business Oregon and FBB Federal Relations ("FBB"). McElwee responded this was an opportunity to ask questions of Ray Bucheger, with FBB, who is a lobbyist for the State of Oregon Ports Division and represents Oregon Ports in Washington, D.C. on various legislative efforts.

Waterfront Development – The Portway Avenue cul-de-sac paving began today and Crestline Construction will be back during the week to pave driveways and finish patches, with more work continuing in September. McElwee extended an invitation to the Commissioners to attend a soft opening of Pfriem Brewing after the Commission meeting, and that the Halyard Building tenant would have another opening on Thursday of this week.

Bridge/Transportation – McElwee reported that painting of the lower chords on the Interstate Bridge has been delayed due to tenting problems caused by strong winds. The project is not expected to conclude before fall and crews may shift to other contracts since the Port contract has been written through 2013.

6. Reports, Presentations, and Discussion Items:

- Ball Janik State Representation Services – Caitlin Sause: This presentation was held over to another meeting as Sause was unavailable.

- Lot 1 Planning Update – Dick Spies, Group Mackenzie: The Commission was presented with updated conceptual plans for further discussion regarding development of Lot 1. Two development options were presented and Spies explained the vision, use/purpose, and design characters for the different zones. There was consensus from the Commission that it would be best to further define Option 1 as it was not impacted by the U.S. Army Corps of Engineers flowage easement. Further input from the Commissioners included the following: maintaining view sheds, and smaller building footprints closer to the basin's edge. There was a long discussion on parking. Commissioner Brian Shortt inquired about a parking structure as a way to free up property for other use, and that parking is a general problem that the Port, City, and County need to collaborate on to resolve. Commissioner Rich McBride inquired about underground parking; Spies responded that it is a possibility but that it would be as expensive as structured parking. Attorney Jerry Jaques inquired how the City's Transportation Plan and ODOT (Oregon Department of Transportation) figured into the conceptual plans presented by Group Mackenzie. McElwee responded that the level of build out presented was far less than the build out assumed in the IAMP (Interchange Area Management Plan). McElwee also commented that a policy decision would also need to be made by the Commission regarding land sales. Spies indicated to the Commission that Group Mackenzie's next steps would be to run dollar numbers for the Option 1 diagram. McElwee concluded the discussion stating that the concept plans presented in the meeting would be available on the Port's website at www.portofhoodriver.com (Lot #1 Planning).

▪ Proposed Cable Park Issues & Background: McElwee summarized the intent of the discussion was to affirm the public outreach plan of scheduled meetings so that a decision could potentially be reached in September on Naito Development's request for a land lease. McElwee also emphasized the importance of maximum transparency in the process so the public was seeing the same material on the Port's website as the Commission has access to. Staff has proposed the first meeting of invited attendees who are either in support of the Cable Park or neutral be held on August 7. Stakeholders who are in opposition of the Cable Park would attend the August 21 Commission meeting, and a Special Meeting be called on September 12 for public comment. Commissioner Rich McBride recommended that public comment be excluded at the August stakeholder meetings and with the exception of Davies, there was Commission consensus. Shorttt said he hoped the stakeholder meetings would avoid the pro and con views so that the Commission would be presented with the best constructive information on the constituencies being represented. McElwee suggested a list of issues that would be provided to the stakeholder groups to guide their discussions. Commissioner Fred Duckwall said the guideline was a good idea but the Commission should anticipate other items would come up spontaneously that may be hard for the Commission to determine; i.e. legal and scientific processes that would need to be deferred to specialists at a later date. There was also discussion to formally invite the Waterfront Recreation Committee to all meetings but that there would be no further group input on the topic but individual comments would be welcomed. There was also Commission and audience discussion on who would represent each stakeholder group. McElwee stated that he would contact a representative from each stakeholder group to finalize which six people would attend the August 7th and 21st meetings. Bart Vervloet inquired if any Commissioner had been to a Cable Park and if not, it was his firm recommendation that the Commissioners go visit one before a making a final decision. In wrapping up the discussion, McElwee noted that the stakeholder meetings would be held in the Marina Center Boardroom but that the venue for the Special Meeting devoted to public comment on September 12 was not yet determined.

7. ACTION ITEMS:

a) Approve Memoranda of Understanding with the City of Christmas Valley in the Amount of \$150,000 and the City of Myrtle Creek in the Amount of \$100,000 Subject to Any Changes Approved by Legal Counsel: The airports at Christmas Valley and Myrtle Creek do not have immediate capital projects and have funds to lend if the Port agrees to pay such funds back with future Federal Aviation Administration ("FAA") entitlement funds. These income sources would be used for the runway shift project to include a new Taxiway A. McElwee also noted that the funds would not be required to be returned unless the Port receives annual entitlement funds from the FAA.

Motion: Move to approve Memoranda of Understanding with the City of Christmas Valley in the Amount of \$150,000 and the City of Myrtle Creek in the Amount of \$100,000 Subject to Any Changes Approved by Legal Counsel.

Move: Duckwall

Second: Shortt

Vote: **Aye:** Davies, Duckwall, McBride, Shortt, and Streich

MOTION CARRIED

b) Approve Contract with Ball Janik, LLC for Advocacy Services Not to Exceed \$73,500 Plus Reasonable Reimbursable Expenses: This is an annual contract for federal and state lobbying and advocacy services. The County also utilizes the federal lobbying services of Ball Janik, and McElwee commented the Port makes the full monthly payment for all contract services with reimbursement from the County for their portion. This pass-through mechanism is covered under an Intergovernmental Agreement with Hood River County. The services provided by Ball Janik are anticipated in the Port's approved FY 2012/13 budget.

Motion: Move to Approve Contract with Ball Janik, LLC for Advocacy Services Not to Exceed \$73,500 Plus Reasonable Reimbursable Expenses.

Move: Duckwall

Second: McBride

Vote: Aye: Davies, Duckwall, McBride, Shortt, and Streich

MOTION CARRIED

c) Approve Intergovernmental Agreement with Hood River County for Advocacy Services Performed by Ball Janik, LLC:

Motion: Move to Approve Intergovernmental Agreement with Hood River County for Advocacy Services Performed by Ball Janik, LLC.

Move: McBride

Second: Duckwall

Vote: Aye: Davies, Duckwall, McBride, Shortt, and Streich

MOTION CARRIED

d) Approve Change order No. 3 to Contract with Colton Construction in the Amount of \$7,302.13 for Pfriem Brewing Project: McElwee noted that improvements are complete and final occupancy was received July 16. The changes submitted by the contractor in this Change Order are complete and the Port, as the landlord, is responsible for the relocation of a heating unit, electrical panel, and a portion of the cost of the fire suppression ansul system.

Motion: Move to Approve Change order No. 3 to Contract with Colton Construction in the Amount of \$7,302.13 for Pfriem Brewing Project.

Move: McBride

Second: Shortt

Vote: Aye: Davies, Duckwall, McBride, Shortt, and Streich

MOTION CARRIED

e) Approve Change Order No. 1 to the Contract with Crestline Construction for the Portway Avenue Improvement Project in the Amount of \$43,149: The changes were summarized as follows: remove existing catch basin to install a filtered catch basin in the cul-de-sac; installation of fire hydrant hot tap installation at Jensen Building driveway; installation of storm sewer line; fire hydrant water supply line extension; and conduit installation for cul-de-sac street lights. Davies asked for a clarification on the filtered catch basin. Development Manager Steve Burdick responded the engineering plans, which were approved by the City, did not provide for a filtered basin. After contract award the City noted the requirement, so the existing basin will need to be replaced by a filtered catch basin, which collects and treats surface water runoff from the new pavement being installed. As half of the Change Order amount is related to the catch basin issue, Davies suggested that a complaint be voiced to the City about not discovering the requirement during the plan review process.

Motion: Move to Approve Change Order No. 1 to the Contract with Crestline Construction for the Portway Avenue Improvement Project in the Amount of \$43,149.

Move: Shortt

Second: Duckwall

Vote: Aye: Davies, Duckwall, McBride, Shortt, and Streich

MOTION CARRIED

8. COMMISSION CALL: Shortt inquired about an update on the City's sewer outfall project that will involve construction on The Hook road and he also told McElwee he had done a nice job with the State of the Port presentation at Rotary. Streich inquired about updates on the Marina Park Bldg. #1 costs and the Bridge Working Group. He also suggested that we contact the Port of Cascade Locks to identify if we (or the Chamber or the City) can assist in any way with events that begin in Cascade Locks and end in Hood River. McBride attended the Gorge Technology Alliance's Summer Party at Innovative Composite Engineering ("ICE") in White Salmon and commented on the company's growth potential. Regarding the remote control ("RC") sailboat races that were held in the Marina Basin earlier in the month, Davies said he was told this location was the 'up and coming' location and some of the best RC racing ever.

9. EXECUTIVE SESSION: At 7:47 p.m., President Davies called the Commission into Executive Session under ORS 192.660(2)(e) Real Property. At 8:09 p.m. Davies called the Commission back into Regular Session. The following action was taken as a result of Executive Session.

Motion: Move to Approve Lease with CRG Freight for Office Spaces 102 and 103 in the Maritime Building Commencing July 1, 2012 Subject to Approval by Port's Attorney.

Move: Streich

Second: Duckwall

Vote: Aye: Davies, Duckwall, McBride, Shortt, and Streich

MOTION CARRIED

10. ADJOURN: President Davies adjourned the meeting at 8:10 p.m.

Respectfully submitted,

Laurie Borton

ATTEST:

Jon Davies, President, Port Commission

Rich McBride, Secretary, Port Commission