



PUBLIC MEETING: Special Commission Meeting

DATE: Friday October 14, 2022, 1:30 PM

LOCATION: <https://us02web.zoom.us/j/85806615790>

REVISED AGENDA

1. Meeting Called to Order at 1:30 pm
2. Roll Call
 - a. President Groves
 - b. Vice President Lorang
 - c. Commissioner Caldwell
 - d. Commissioner Stipan
 - e. Commissioner Bump
3. Modifications, Changes, and Additions to the Agenda
4. Discussion Items
 - a. Marine Park Trail Options – Ryan Farncomb, Parametrix, Robert Wattman, ODOT, Roy Watters, ODOT
 - i. At the last Commission meeting, they considered the comments made about selecting a path that has tribal partner support and wanted to discuss it with the tribal liaison as well. They decided to make this special meeting for it. Ryan Farncomb begins by showing a map of Marine Park with labeled segments of the trail. After discussions with local tribes, they had concerns about privacy. There would be a mid-slope alternative halfway up the small hill below the campground. GM asks if the Commission needs more information to start a discussion. Roy Watters speaks up saying that he is the archaeologist and tribal liaison for Tribal 1 with ODOT. He begins saying that the 4 River Tribes have reserved treaty rights for fishing along the stretch of the Columbia River and that they have their area around the end of the property. As part of ODOT requirements, they need to consult with the affected tribes and have held some meetings with them already. The tribes haven't expressed any opposition to the trail project but have expressed concern about the alignment that goes along the edge of the parking like where they park and fish. Their concern is privacy and that the trail alignment would bring more people into proximity to where they fish. They have continued to fish in this area through the

creation of the locks and a dam, but it's another impact of trail visitors and want to avoid having any impacts even if there are other options. The way they see it, campers don't want more people going through where they are staying, and tribal fishers don't want more people around their sites. The concern from and for fisherman would be a significant consideration and impact that would guide the alternative. P Groves explains that with the Commission's decision, they are working with the tribes but don't want to give up anything such as the parking lot and says that it's more the issue than anything. Watters agrees that he hasn't heard anything about the tribes being used to sharing the space and that their concern was about the alignment bringing in visitors who would otherwise not be down there. P Groves points out that during fishing season, there have been people camping in the boat parking spots but and some boats living down there but those are the only issues he's seen. Watters says that it was his understanding that the Port wants to form relationships with the tribes and was wondering if the Commission was set on a particular alignment and that if they could potentially figure out another solution and include being able to use that area, not exclusively. P Groves says that the Port is currently working on an MOU and can add this into it. He continues that the Commission slowly approved the alignment of the walkway and were a little unsure about the language. Watters agrees and says that they would like to ask the Port to reconsider. C Caldwell adds that this helps to understand what the tribes have thought about this. She continues saying that moving forward, concerning the traffic that will be moved into the park, that there are a lot of people here in CL and with extra traffic, can be overwhelming and can understand how the natives feel as well. She points out regardless of if the Port wants it, the town is expanding with more people. Watters agrees and to him, they haven't brought up issues related to the use of the area and have heard pedestrian access through the railroad tracks is easier for them and faster. P Groves says that they will bring this up again at the next joint meeting with the tribes. GM asks if there is any direction for the consultants or staff from ODOT. P Groves says the direction he got was to take it up with the tribes. VP Lorang asks if 6C would be a lesser issue with

the tribes, even though it is more expensive. GM says that with the feedback, there is still a need for Commission action. C Stipan says he interpreted that they didn't want us to decide yet and that he now has a stumbling block and confused about the trail options. GM says that the choices are to stay with original path or switch to alternative between boat launch and campground. C Stipan says that if they agree on this, to move forward with it.

VP Lorang motions to accept 6C for the trail project moving forward; C Stipan seconds; Unanimous 5-0

- b. Discussion of the Strategic Business Plan - Business Park
 - i. GM wanted to review the current SBP and revise priorities with the Commission. She continues that in the original SBP, the Commission would like to retain a master plan for the business park, building leasable industrial buildings. In the most recent one, it was said "plan to build a series of larger leasable industrial building spaces in the Business Park,". During the upcoming SBP, it will be reflected that these have been already built. In the MBP, GM shows an image of those that the Commission has stated for land to sell or trade, lease preferred, possibly acquire, keep for utility and easement, or public open space. P Groves points out that there is a policy that says this too. VP Lorang asks what our ability is to carry the building should the Port not get a monthly payment for it and needs to be considered. He realizes it was built for the intent to lease it but since plans changed, then it may need to change depending on the financial status of the Port. P Groves says that the policy needs to change and asks if VP Lorang saw the email from the engineer and that the piece of property needs to be partitioned. GM says there are some other considerations going on. Laura Westmeyer says that there is a two-step process for property sale. The first step is a resolution approving the property sale, regardless of any offers. Second step would be talking about any specific offers or negotiations. Lastly, have Commission approve of any specific sale. P Groves says he is mainly inquiring about the partition lines. Laura says we can do it prior to the sale or make it a contingency of part of the sale. C Caldwell brings up that P Groves mentioned a policy and asks if GM has it available to show. P

Groves says that the policy goes along with the map that GM showed previously on the screen. GM explains that the policy was developed mainly for land, not buildings. C Caldwell asks for P Groves' understanding. P Groves says that he understands it from the land perspective due to the building not being built yet. C Caldwell asks if it is for both land and the building, P Groves says it is for the land only. GM says that at the time of the policy being developed, there were no buildings, so it wasn't taken into consideration. VP Lorang adds that our intent was to build buildings with the intent of leasing, preferred, unless necessary to sell due to financial reasons. C Caldwell says that when the Port got into the loan with the state, we knew with us being a government agency that we would have the ability to have forbearances to make sound decisions. She says it has been done before with the Port when they sold the land for the casino. VP Lorang says that time will tell and we are dealing with public funds, thus being fiscally responsible. He adds we are sitting with a building with \$45,000 monthly payments and will just see how it goes. C Caldwell adds she is considering we are an agency with a loan but doesn't think that the "house on fire" would be the best decision. GM continues that when the actual offer is considered, to go into Executive Session. P Groves believes that all the Commissioners understand that we may have to sell the building. His main concern is that we cross all of our T's and dot our I's. He says we can't negotiate a price currently because there hasn't been an appraisal yet on the property. GM says that this property could be for sale, and the resolution that she worked on with Westmeyer allows GM to start working on collecting offers, information, reviewing figures with the Commission, and if the Commission wants to start negotiation processes on potential offers. P Groves says that we need to straighten out policies and need to get the partition done, small things. GM says she believes they can be done while negotiating a sale and allows us to say that we are interested in selling, while needing to take care of things. C Stipan offers to go into Executive Session to discuss this. P Groves asks where Mark Troutman is, GM says he will be joining shortly. She has the report that came with the map and continues to read it aloud. Summarized, the report talks about the draft maps are

suggested starting points for negotiation and what the Commission can do. P Groves says he has the policy and will send it to GM. P Groves calls for Executive Session under ORS 192.660(2)(e) Real Property Negotiations.

5. Action Items

- a. Action on Marine Park Trail option

VP Lorang motions to accept 6C for the trail project moving forward; C Stipan seconds; Unanimous 5-0

- b. Adopt Resolution 2022-3 Authorizing Sale of Flex 6 property
- c. Approve Property Sale of Flex 6
 - i. GM states she will be getting an appraisal, getting back to the offer and letting them know we are interested in working with them, and looking into the partition process. Also, getting a breakdown of other expenses on the Port expenses for Flex 6.

VP Lorang motions to approve the resolution for potential sale of Flex 6; C Stipan seconds; Unanimous 5-0

- d. Select Vendor for Sternwheeler Engines purchase – Mark Troutman
 - i. GM goes over an email from Mark Troutman discussing keel coolers. His answer was all of them did, except for Hatton. One of the two Cummins engines included. He will check on cooler availability due to Commission wondering if they can order the coolers. The delivery of the engine/generator packages have moved out further and vendors won't agree on a date until an invoice has been issued. At the last meeting, the Commission considered what it would like for the Port to add the maintenance response time to the current solicitation, after doing some research, what the Port can do is reissue the solicitation and allow people to respond. She proposes to reissue the solicitation, leave it open for a week, and consider it as part of the criteria. At that point, they can add it to the value or response time and to the value of the engines. P Groves asks if that means we won't take the low bid. GM replies that there is a value that is associated with the maintenance, we can say that everyone who doesn't respond is out, or tell what the calls cost us. VP Lorang says that the cost of the call and parts availability will be a real issue, which can cost us more in the long run. P Groves

says during negotiations, they discussed that a lot and the top choice is CAT, and it's helpful that there is a CAT mechanic in town. Their parts are more available too, so that is why he asks if the Port must take the low bid, and what the criteria is if they decide not to. He then asks GM about the bids; she replies the lowest bid was \$236,880 and the next one was \$257,000. P Groves says he doesn't want to wait around forever but feels GM has given them plenty of updates. GM asks how to structure it, if we are interested in calculating the call to the Port. VP Lorang asks if we are going to modify the bid to say we are interested specifically in CAT and the equipment should meet the criteria is CAT equipment. Currently we have Cummins engines. P Groves asks Westmeyer how we can specify a brand of engine we want, Westmeyer continues by asking what the reason is for brand specification. VP Lorang adds that it's for availability of parts and service people in the area for CAT. The nearest Cummins dealer is 5 hours away. Westmeyer continues saying that we don't have to specify the brand but should specify characteristics. The criteria is the brand name specification is unlikely to encourage favoritism or substantially diminish competition. The brand name would result in substantial cost savings to the Port, only one manufacturer of quality and performance that we are looking for, or the efficient utilization of existing goods require compatible goods. P Groves asks if having parts nearby is applicable to the criteria, Westmeyer asks if there is only one seller of the product nearby. P Groves says the dealership is in Vancouver, The Dalles, and Portland. VP Lorang says there are multiple service providers and availability of parts. GM thinks quantifying cost will diminish competition, especially if we are waiting for parts, and could take days of revenue away. Westmeyer says that can be the proposed finding that use of the CAT brand specification would result in substantial cost saving to the Port because GM listed.

VP Lorang motions to go out for another procurement specifying CAT Engines due to the Service and Availability of parts and result in substantial savings to the Port ongoing; C Caldwell seconds; Unanimous 5-0

6. Adjournment

Port of Cascade Locks:

Port Commission President

Jess Groves

Port Commission Secretary/Treasurer

Joeinne Caldwell