

## Port of Cascade Locks

The Port of Cascade Locks Commission Work Session Meeting was held Thursday, May 7, 2015 at the City of Cascade Locks Council Chambers, Cascade Locks, OR 97014.

- 1) **Meeting called to order/ Pledge of Allegiance:** Commission President Groves called the meeting to order at 6:05 pm.
- 2) **Roll Call:** Port Commissioners Groves, Caldwell, Mohr & Haight were present. Commissioner was Cramblett excused.

**Others Present:** IGM Paul Koch, Port Secretary Sally Moore, Marketing & Development Manager Holly Howell, Interim Economic Development Manager Don Mann, Port Attorney Tommy Brooks, Recreation Coordinator Mayah Frank, David Palais, Pat Albaugh, Accounting Specialist Melissa Warren, Dave Lipps and John Stipan.

- 3) **Declaration of Potential Conflicts of Interest:** None
- 4) **Modifications, Additions to Agenda:** IGM Koch asked to add a letter for discussion from David Lipps, who asked to be appointed to the Budget Committee. IGM Koch also added Item number 6c, the Proposed Homeland Security Grant application.
- 5) **Items from the floor: (Special presentations, outside resource presentations and other reports not requiring action).**
  - a) **Reports & Comments from the General Public** – The letter from David Lipps asking to be appointed to the Budget Committee was reviewed. CP Groves asked the Commission for comments on the letter from David Lipps. Commissioner Haight stated she recommended David Lipps. She said there may possibly be a conflict of interest in some cases, but he would excuse himself. CP Groves asked Port Attorney Tommy Brooks about conflicts of interest. Attorney Brooks stated the Budget Committee is a Public Body and he would be a public official. He would be subject to all conflict of issues rules if appointed. He said there will be conflicts regarding some discussions and stated Mr. Lipps will need to recuse himself at certain times. IGM Koch stated that for the record, he wanted it noted for the record that appointing Mr. Lipps went through the process.

**COMMISSIONER MOHR MADE A MOTION TO APPOINT DAVID LIPPS TO THE BUDGET COMMITTEE. SECONDED BY COMMISSIONER HAIGHT. The motion was unanimous. 4-0.**

- b) **Reports and Comments from Government Officials** – None
- c) **Commission Member comments** – Commissioner Haight stated the Park landscaping looks good. Commissioner Caldwell stated the Park has a professional look to it. CP Groves reported IGM Koch and he went to the Capital in Salem and testified before the Senate Committee regarding a bill that may happen next year involving reciprocity for Emergency Medical Services between Oregon and Washington. This would be beneficial for Cascade Locks (CL); allowing them to use emergency services from

Skamania County. He added the Port has been looking at putting a data center in the Industrial Park. The jobs created would be family wage jobs. He attended the Region One Act Committee with ODOT. He has been appointed to the Board to represent the County, City and the Port. CP Groves stated that the Port was approached by a company in Wilsonville named Xzeres; a wind turbine company that asked to place a test wind turbine CL. The power would go to either the City or the Port. This has yet to be determined. The placement has yet to be determined.

- d) Reports from Commission sub-committees – None
- e) Discussion to appoint David Lipps to the Budget Committee – Was moved to Reports and Comments from the general public, Item 5a.

6) Commission Business Action Items

- a) Action on adopting Resolution 2015-1 prohibiting smoking, vaping and alcohol use in the Marine Park Playground and a 50 foot radius.

IGM Koch reminded the Commission that Belinda Ballah, from Hood River County came before the Commission on March 12, 2015 asking the Port to create a ban on smoking, vaping and alcohol use in and near the children's playground. Belinda then asked that use in the entire Park be implemented. The Commission reviewed different options and selected to take the step of creating the zone in and near the children's playground.

**COMMISSIONER CALDWELL MOVED TO ADOPT RESOLUTION 2015-1 ESTABLISHING A NO SMOKING, VAPING AND ALCOHOL USE IN THE CHILDREN'S PLAYGROUND AND WITHIN A 50 FOOT RADIUS. SECONDED BY COMMISSIONER HAIGHT.**

Commissioner Mohr asked if the language of "and alcohol use" should say "or alcohol use". Attorney Brooks stated the intent is clear.

The motion was unanimous. 4-0.

- b) Action on Approving minutes for June 10, 2014, July 10, 2014 and July 17, 2014

IGM Koch stated that these minutes were not approved. Commissioner Mohr asked if the July 10, 2015 minutes reflected that the interviews actually happened on that date. IGM Koch stated no, and added that Aurora Del Var was not interviewed as she forgot. CP Groves asked to pull and correct the July 10, 2015 minutes to reflect that.

**COMMISSIONER CALDWELL MOVED THAT THE COMMISSION APPROVE THE MINUTES FOR JUNE 10, 2014 AND JULY 17, 2014. SECONDED BY COMMISSIONER MOHR. The motion was unanimous. 4-0.**

Commissioner Mohr stated that the minutes for July 10, 2014 need to reflect that Jeff Helfrich was not interviewed; that he withdrew. Commissioner Mohr was not present that date either, so her name was be removed.

COMMISSIONER CALDWELL MOTIONED TO REMOVE COMMISSIONER MOHR FROM THE JULY 10, 2014 MINUTES AS SHE WAS NOT PRESENT AND TO ADD THAT JEFF HELFRICH WITHDREW AND AURORA DEL VAR WAS NOT INTERVIEWED AS SHE FORGOT. COMMISSIONER MOHR SECONDED IT. The motion was unanimous. 4-0

- c) Seeking authorization to apply for the Proposed Homeland Security Grant application. IGM Koch stated the Port has the opportunity to apply for a \$160,000 grant AND is seeking Authorization for him to sign it. He was seeking authorization for the Merchants Exchange to write the Grant for the amount of \$1100. This will be reimbursed if the grant is awarded. The Port would have to match in the amount of 25% equaling \$40, 000. \$25,000 can come out of next year's budget for the proposed security enhancements. This is for a security plan, cameras and enhancements in all facilities. The cameras can tilt and zoom, so they will look up and down the river and add a camera pointing at the bridge lanes, Marine Park and the Business Park as well as enhanced security in all of the buildings. The implementation can be done in two years. CP Groves asked if it is approved, to work with Skamania County to see if they can help pay for part of it. Commissioner Mohr asked if it could incorporate what will work for the plan including security for all of the buildings as well as cameras on the bridge lanes.

COMMISSIONER CALDWELL SO MOVED TO AUTHORIZE THE CONTRACT WITH MERCHANTS EXCHANGE OF OREGON TO PREPARE THE APPLICATION GRANT IN THE AMOUNT OF \$160,000 WITH \$40,000 CASH MATCH AND TO AUTHORIZE THE IGM TO SIGN THE CONTRACT AND APPLICATION. SECONDED BY COMMISSIONER MOHR. The motion was unanimous. 4-0.

7) Work Session Discussion Items

- a) Status on Marine Park overcrossing – Staff Holly Howell stated there has been no significant progress at this point. She will get Bret Richards with ODOT to a Port Commission meeting soon. Budgeting was briefly discussed. No action was taken.
- b) Review of Public Information Request Policy and fees – IGM Koch stated the Public Information request policy and fees policy has not been updated since 1998. It is time to review the policy and possibly revise policy and update the fees to reflect costs and modernize it. The Oregon Public Records law requires that all public bodies make certain records available to the public upon request. Port Attorney Brooks stated the Port has the ability to charge fees for records requests. There are no major changes to be made. He suggested a template for the response needs to be made, and needs to be done in a timely matter. CP Groves stated he wants to ensure costs are covered. This includes thumb drives, attorney fees, videos, time, staff costs and other items. The Port will come back with a new policy as directed by the Commission. No action was taken.
- c) Port Commission meeting procedures – IGM Koch presented a proposed updated meeting procedures to the Commissioners. This may include guideline, timelines for meeting, printing and how agendas are presented to the Commission. He suggested this to broaden Port meeting procedures and to fill vacant Port and Budget Committee positions. There was discussion on putting a timeline on Public Speakers. This would give the Port discretion to give speakers an option for a longer time to speak, or set up a Special meeting for certain discussion. CP Groves strongly suggested setting a timer with a time limit. Port Attorney Brooks stated this is more about managing a meeting. By

managing that well, all will have a fair share and the Commission will have time at the end of the meeting to make a decision and the Commissions duty is to run a meeting and needs to be consistent. The staff will come back to the Commission with a proposed policy for action. No action was taken.

President Groves recessed the regular session at 7:05pm.

The Commission went into Executive Session at 7:12pm.

- 8) Executive Session under ORS 192.660 (2)(e) Real Property Negotiations
  - a) Discussion regarding potential Puff Factory proposed purchase option and lease
  - b) Discussion regarding Heuker Bros.

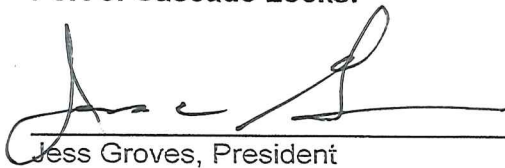
The Commission returned to regular session at 10:15pm.

- 9) Any action as a result of the Executive Session

*Stated on*  
A MOTION WAS MADE BY PORT ATTORNEY TOMMY BROOKS TO DIRECT STAFF TO CONTINUE NEGOTIATING WITH PUFF FACTORY ON THE LEASE TO INCLUDE A SEPTEMBER ONE COMMENCEMENT DATE AND TO COME TO AN TENTATIVE AND IN GENERAL TO TRY TO COME TO AN UNDERSTANDING OF EXHIBIT A AND TO COME TO AN TENTATIVE UNDERSTANDING THAT WE WILL BRING BACK A FINAL LEASE TO THE COMMISSION FOR APPROVAL. SO MOVED BY COMMISSIONER MOHR. SECONDED BY COMMISSIONER HAIGHT. The motion was unanimous. 4-0.

- 10) Adjournment: COMMISSIONER MOHR MOTIONED TO ADJOURN THE MEETING. SECONDED BY COMMISSIONER HAIGHT. The motion was unanimous. 4-0. The meeting adjourned at 10:42pm.

Port of Cascade Locks:


  
\_\_\_\_\_  
Jess Groves, President

Port Commission

DATE APPROVED:

7-15-15  
Prepared by: Sally Moore

Attest:

  
\_\_\_\_\_  
Joenne Caldwell,  
Secretary Treasurer

Port Commission

## Statement to the Port of Cascade Locks - June 4

Nestlé's proposal aligns with what we want and with who we are, this perhaps being the function of our second town hall.

The second town hall could ask us as a community to look for those places of congruence between our vision and Nestlé's proposal. How does Nestlé's proposal facilitate our vision? How does it work against our vision? How does it fare in relation to other very important considerations beyond our immediate needs and desires as a town? Is there any room for further negotiation with Nestlé, or are we left with the realization that Nestlé's proposal may not be one for us to consider after all? Again, a skilled, independent facilitator can help us grapple with these important questions. And another citywide survey would be helpful here, too.

Lastly, because we don't live just amongst ourselves but are part of a greater community, it would be important to have another town hall meeting where we listen to the voices of others from outside our community, who can review our work and thinking while offering their unique perspectives. People from outside our community may be able to present some thinking that we would not arrive at on our own. The people who represent Nestlé are, in fact, outsiders, and we have been listening to them; let's also be willing to listen deeply to what others have to say. And I should add here, that just because we give room for people to voice their thinking, that doesn't mean that we have to always go along with that thinking; it just means that we will put ourselves in a better position to make an informed decision.

There's a lot for us to consider, and this is a very important conversation that needs to happen, so once again, a skilled, independent facilitator will be best equipped to make sure all of the above happens in an inclusive, respectful, productive manner. I have heard City and Port officials say they believe that they are acting in the best interests of this community; I say let's come together and make sure. Let's have **Real Talk for a Better Future**. We owe it to ourselves to sit for a while with this big issue that's come before our town and to remain open-minded going forward. By doing so, we may just come away from all this not only getting what we want but getting it in a way that's better than what we could have ever imagined.

Thank you for listening.

Edward del Val  
115 SW Venture St.  
Cascade Locks, OR 97014

Honorable Port Commissioners, Port Manager, Port Staff, and Residents of Cascade Locks:

Often, when in survival or crisis mode, people often want to respond quickly and grasp at whatever seems like a promising solution. My wife and I felt this way two years ago when my mother was diagnosed with pancreatic cancer. Upon hearing her prognosis, we rushed to "save" her, not giving her and ourselves enough time to process the distressing news first and then to simply sit with it. I see now that there is real value to sitting with something rather than immediately reacting. In hindsight, I wish that my wife and I had devoted more time to allow her to express her complicated feelings and to ask what she truly wanted rather than to assume what she needed. Sometimes just sitting with something big and allowing it to fill up the room can be a powerful life saving response in and of itself.

We have something big happening in Cascade Locks: a deficiency of economic development, which affects our town's overall livability and appeal. While our elected officials and city and port managers may think they are acting in the town's best interest by clearing a path for Nestlé's water bottling plant here, I worry that they are making troubling assumptions about public consensus. I strongly recommend that we first sit with this big issue for a while longer, TOGETHER, most importantly, as well as on our own. We have the time to create the space necessary for this to happen. Here's my request for the town hall meetings, including for the one that has recently been scheduled:

First and foremost, Nestlé aside, we all need to spend some time envisioning what we want for ourselves as a town in a residents-only town hall. We need to collectively say, "Here's who we are and what we want for ourselves and what we want to offer others who visit our town." I would like to see our first town hall work towards this end. And knowing that there will be a good number of residents who may not make this meeting for any number of reasons, a survey should be sent out as well so as to collect the thoughts of as many people as possible. In order for this process to be effective, I urge the City and the Port to use a skilled independent facilitator to guide the discussions and to capture the town's thinking.

Also, it's critical that this first town hall NOT be about Nestlé and certainly not about a "city water system improvement project" conflated with a "potential water bottling plant" as is currently advertised. That is not a responsible invitation to "join a thoughtful discussion." Instead, a real town hall needs to be first about us and our vision for the town. By proceeding in this way, we will get more voices to the table, especially since there are some who, for a number of reasons, wouldn't be able to speak freely if the town hall meeting were focused on Nestlé. For example, some local business owners and City and Port employees feel constrained to speak publicly on this issue due to their sensitive relationships with the City and the Port. This is a real shame. Also, I have spoken with residents on the streets that feel uncomfortable to speak directly and honestly about Nestlé being here due to past interactions with others who have, as one resident put it, "got in my face about it." We don't want to lose the valuable contributions of these people. Paul Koch, in one of only a disappointing three responses I received from the Port and the City regarding my earlier requests for a town hall meeting on this issue, wrote back to me and said, "It is both the Port and the City desire to encourage voices from all perspectives." By making sure this happens, we will be in a better position to consider the degree in which