

**Port of Hood River Commission
Meeting Minutes of May 21, 2013 Regular Session
Marina Center Boardroom
5:00 PM**

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, Fred Kowell and Mellissa Halseth

Absent: None

Media: None

1. CALL TO ORDER: President Jon Davies called the meeting to order at 5:03 p.m.

a. Modifications, Additions to Agenda: Move Consent Agenda Items Pfriem Brewery Landlord Waiver and Local Grind Food Concession to Action Items for discussion.

Commissioner Davies opened the Budget Hearing at 5:04 p.m.

2. PUBLIC COMMENT: Grant Myrdal, Photographer, requested that the Commission permit him a space at the Event Site for the 2013 season for photography sales. He would set up a kiosk similar to the school concessions and also have online purchasing. The photos would be action photos. Myrdal has two employees.

Woody Howe, Mt. Hood Meadows Director spoke on behalf of Grant Myrdal. He stated that Myrdal has had a seasonal concession at Mt. Hood Meadows for the last four seasons. Mt. Hood Meadows has gone through an extensive risk management process and would recommend to the Commission that Myrdal be permitted space.

Linda Maddox announced to the Commission that the City was awarded \$83,000 from the Ford Foundation to complete the City Waterfront Park. Maddox also mentioned that the City angled parking project has been delayed due to utility issues.

3. CONSENT AGENDA:

- Approve Minutes of April 29, 2013 Spring Planning Work Session and April 29, 2013 Regular Session Meeting
- Approve Lease Renewal with Veolia Water in the Marina Office Building
- Authorize Amendment No. 1 to Pocket Fuel Lease in the Halyard Building
- Authorize Change Order No. 3 to contract with Griffin Construction for \$3,245.46 for PocketFuel Tenant Improvement Project
- Authorize Change Order #1 to the Contract with LaLonde Electric for Vault Installation Not to Exceed \$7,901 for a Total Contract Amount of \$465,288
- Authorize Change Order No. 4 to the K & E Excavating Contract in the Amount of \$1,102.81 for a total contract amount of \$3,400,027.76

Motion: Move to approve Consent Agenda as amended (move Pfriem Brewery Landlord Waiver and Local Grind Food Concession to Action Items for discussion)

Move: Duckwall

Second: Shortt

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

MOTION CARRIED

4. REPORTS, PRESENTATIONS AND DISCUSSION ITEMS:

▪ ECONorthwest – Terry Moore, Principal, provided a brief background on his firm and discussed the approach to carry out an analysis of the economic impacts of the Port. The analysis will serve as an important piece for the Strategic Plan and Oregon Business Development Department's request for an economic analysis from all Oregon ports. Moore

intends to monitor at the state level to keep an eye on what is being included in these analysis from other ports. Alison Danko, Port Intern will be assisting Moore in the analysis.

5. DIRECTOR'S REPORT: McElwee highlighted the following areas:

- Schedule –McElwee hopes to have his updated work plan and self evaluation to Commissioners by Friday, May 24 for review at the June 4 meeting. Commissioners to contact staff if they have additions discussion items they would like added to the Project List.
- Staff/Administration - Commissioner Don Hosford passed away and a service will be held Saturday, June 8 at the Valley Christian Church. The Commission was asked to review the revised Boardroom Policy that was included in their packet. Consensus was that policy was acceptable with limitations for frequent users.
- Waterfront Recreation – Fred Kowell, Finance Manager presented the Commission with a preliminary Flex Lease progress report for the Marina financing.
- Waterfront Development – The Frontage Road pathway architectural and engineering contract is almost complete. Work will likely start in July.
- Airport – The Airport closed May 20 for approximately 4 weeks. The rock that was requested was not needed and neither was the original proposed underlayment.

6. Commissioner, Committee Reports:

- Urban Renewal Agency – Neither Commissioner Streich or Commissioner Shortt attended the May 13 meeting.
- Marina Ad-hoc Committee – Davies reported on the May 14 meeting. The Yacht Club has appointed a new Port Liaison, Lance Staughton. There was lengthy discussion on dogs off leashes and liveboards. There was strong consensus to enforce these rules with warning letters resulting in termination if not resolved. Staff will be preparing a draft lease for Boathouse Tenants that would be effective January 1, 2014. This will be presented to the Commission at the June 18 meeting. Davies requested that Shortt meet with Steve Tessmer, Boathouse representative to discuss leases. Shortt will attend the June 11 Marina ad-hoc meeting. McElwee added that the DSL determined that for the Boathouse Dock replacement will not require a permit. COE still has not provided their determination.

7. ACTION ITEMS:

a) Approve Contract with TraneOregon in the Amount of \$14,120 for HVAC Programming and Wiring for Pocket Fuel in the Halyard Building: This will allow TraneOregon to set up the HVAC for the PocketFuel space. Commissioner McBride requested staff research the cost of replacement if this would be necessary in the future due to accumulating repair costs.

Motion: Move to Approve Contract with TraneOregon in the Amount of \$14,120 for HVAC Programming and Wiring for Pocket Fuel in the Halyard Building

Move: Shortt

Second: Duckwall

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

MOTION CARRIED

b) Approve Lease with Hearts of Gold in the Marina Park Office Building: This tenant has physically outgrown their current space at the DMV building. This would provide 1,400 sf.

Motion: Move to Approve Lease with Hearts of Gold in the Marina Park Office Building

Move: Duckwall

Second: McBride

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

MOTION CARRIED

c) Authorize an Agreement with ORANGEWALLstudios, Inc. for Architect Services in the Marina Office Building Not to Exceed \$7,500: These are services associated with Tenant Improvement for Hearts of Gold.

Motion: Move to Authorize an Agreement with ORANGEWALLstudios, Inc. for Architect Services in the Marina Office Building Not to Exceed \$7,500

Move: Duckwall

Second: McBride

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

MOTION CARRIED

d) Authorize Change Order No. 4 to the Griffin Construction Contract in the Amount of \$42,242.24 for the HVAC in the PocketFuel Space in the Halyard Building: This price is approximately \$26,000 less than the HVAC add alternate submitted with the initial Griffin Construction bid.

Motion: Move to Authorize Change Order No. 4 to the Griffin Construction Contract in the Amount of \$42,242.24 for the HVAC in the PocketFuel Space in the Halyard Building for a Total Contract Amount of \$204,108.01

Move: McBride

Second: Streich

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

MOTION CARRIED

e) Authorize Amendment No. 1 to the Purchase and Sale Agreement with Naito Development, LLC: The current Purchase and Sale agreement for small portions of Port property near Exit 64 has expired. Staff and legal counsel have worked to negotiate Amendment No. 1 which defines a specific purchase price and requires a \$5,000 non-refundable deposit.

Motion: Move to Authorize Amendment No. 1 to the Purchase and Sale Agreement with Naito Development, LLC

Move: Duckwall

Second: McBride

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

MOTION CARRIED

f) Approve Landlord's Waiver and Consent with CenterPointe Community Bank for Pfriem Brewing Company: Jerry Jaques explained that this waiver and consent would allow the lender to seize equipment if there is a default. The Port still carries a \$45,000 note for Pfriem with a personal guarantee as collateral.

Motion: Move to Approve Landlord's Waiver and Consent with CenterPointe Community Bank for Pfriem Brewing Company

Move: Streich

Second: Shortt

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

MOTION CARRIED

g) Authorize a Concession Permit with Local Grind, LLC for Operation at the Cruise Ship Dock for the 2013 Season: McElwee explained that since Big Papas, LLC decided not to return for the 2013 season that Local Grind decided to accept the spot. Staff believes this concessionaire will fit in nicely with the SandBar Café.

Motion: Move to Authorize a Concession Permit with Local Grind, LLC for Operation at the Cruise Ship Dock for the 2013 Season

Move: Shortt

Second: Duckwall

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

MOTION CARRIED

Davies closed the Budget Hearing at 6:24 p.m.

8. COMMISSION CALL: Streich is concerned that The Port may be offering tenant improvement allowances higher than the public sector. Staff will prepare comparables with the private sector for Tenant Improvements. Streich also asked for an update on the Toll Collector meetings. Kowell explained that the main focus for the past few months has been the Toll Collector Manual. Commissioner Duckwall mentioned that he would not be attending the June 18 meeting. McBride noted that the Event Site has begun to get busy. Davies commented that the Hawaiian canoe is back in the water for the summer. Staff will arrange a short canoe ride for the next employee potluck.

9. EXECUTIVE SESSION: Regular Session was recessed at 6:34 p.m. and the Commission was called into Executive Session under ORS 192.660(2)(e) Real Property. The Commission was called back into Regular Session at 6:49 p.m. The following was an action as a result of Executive Session.

Motion: Move to Authorize a Concession Permit with Grant Myrdal at the Event Site for the 2013 Season

Move: Duckwall

Second: Shortt

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

MOTION CARRIED

Regular Session was recessed again at 6:50 p.m. and the Commission was called into Executive Session under ORS 192.660(2)(e) Real Property. The Commission was called back into Regular Session at 8:27 p.m. There was no action as a result of Executive Session.

10. ADJOURN: President Davies adjourned the meeting at 8:27 p.m.

Respectfully submitted,

Mellissa Halseth

ATTEST:

Jon Davies, President, Port Commission

Hoby Streich, Secretary, Port Commission