



Columbia Development Authority

MINUTES

Tuesday, March 26, 2024

1pm

Columbia Development Authority (CDA)

Board Meeting

AND

Public Hearing

At the Port of Morrow/Commissioners Room or by Zoom

Note: Please join us in person or by Zoom

The full packet is posted online prior to the meeting at www.umadra.com

Welcome and Greetings from Chairman Kim Puzey

Introductions

CDA Board Members:

- Chairman, Kim Puzey, Port of Umatilla
- Vice Chair,
- John Shafer, Umatilla County
- JD Tovey, CTUIR
- Jeff Wenzholz, Morrow County
- Kelly Doherty, Port of Morrow
- Alternate Umatilla County Dan Dorrán, Alternate Port of Umatilla Robert Blanc, Alternate Port of Morrow Joe Taylor Alternate CTUIR Gary Burke, Alternate Morrow County David Sykes

CDA Staff: Greg Smith, CDA Director, Debbie Pedro, CDA Assistant and Emily Collins Project Coordinator

Guests Introductions and members of the press: Tamra Mabbott, Karma, Rick Stoke, Phil R, Addam Huxoll, Jenny, Gibb Events, Chris Grant, Ray Achers, Robert Waldher, Megan Davcheriski, Guest, iPhone 13, Samsung User, Scott Ezell, Wade Aylett, Kyla Baumgarten, Lisa Pratt, Ryan DeGrofft, Dan Dorrán, Josh Burns, Byron Smith, Gary David, Michele Lanigan, Mike Hughes, Rebecca Flores, Fred Ziari, Patrick Collins, Lisa Mittelsdorf,

Action Item:

1. Vice Chair – **A motion was made to nominate John Shafer as the CDA Vice Chair by Mr. Wenzholz and 2nd by Mr. Taylor, motion carries.**

Consent Agenda

1. Approve CDA Board Meeting Minutes November 28, 2023, December 11, 2023, December 11, 2023 Executive Session and January 8, 2024 – **A Motion to approve the meeting minutes from November 28, 2023, December 11, 2023 and December 11, 2023 Exec minutes and January 8, 2024 was made by Mr. Taylor to approve the consent agenda; second by Mr. Shafer, motion carries.**

<https://acrobat.adobe.com/id/urn:aaid:sc:US:ce4ddf8b-62b2-4b01-9412-c5108d1cb100>

<https://acrobat.adobe.com/id/urn:aaid:sc:US:425e9539-8d45-413c-9eb4-9cd38abb5432>



<https://acrobat.adobe.com/id/urn:aaid:sc:US:99e56eac-69e2-4826-a94a-3f995e1720e4>
<https://acrobat.adobe.com/id/urn:aaid:sc:US:c5459bd2-8939-42ad-9e9f-7a8d149e35de>
<https://acrobat.adobe.com/id/urn:aaid:sc:US:e3e631e9-2852-4ba2-a1e8-52f6b669527e>

2. Approve the CDA- BEO November, December 2023, January and February statements Balance ending \$814,860.22 with \$814,860.22 and QuickBooks reports Balance Sheet/P&L 814,860.22 – **A motion to approve the BEO Bank Statements November and December 2023, January and February 2024 and QuickBooks reports, was made by Mr. Wenholz and 2nd by Mr. Shafer, with one abstention from Ms. Doherty, Motion carries.**

<https://acrobat.adobe.com/id/urn:aaid:sc:US:ce70b213-b4ec-44f8-bdb4-7c54c7b4dff>
<https://acrobat.adobe.com/id/urn:aaid:sc:US:55092e31-e1ec-4a42-9964-85f1b73aadcc>
<https://acrobat.adobe.com/id/urn:aaid:sc:US:e59d6205-c4b9-4f44-9f97-12f80e4aa108>

Public Comment Period: The board chairman suggested to open up the public comment period, to provide the opportunity for those attending to be able to present to the board at this time.

Scott Ezell of Irrigon Rural Fire and Protection District shared that they would like to annex/provide service to all of CDA property in Morrow Co. He sent the ORS 478 to the CDA office and director.

The CDA board shared that there was already a vote taken to Annex and an MOU with each fire district including Hermiston, Boardman and Irrigon to provide service on CDA lands.

Boardman Fire Chief Mike Hughes spoke and shared that Boardman Fire and Rescue has an MOU with CDA to annex/provide services at the CDA property in Morrow Co. and that they have an agreement with OMD fire as well.

3. Port of Morrow Report on Grant Expenditures through February 2024 – **A motion to approve the Port of Morrow Report on grant expenditures through February 2024 was made by Mr. Wenholz and 2nd by Mr. Shafer, with one abstention from Ms. Doherty, Motion carries.**

<https://acrobat.adobe.com/id/urn:aaid:sc:US:3df965d4-b877-40ca-9fe5-1d0b626961ef>

Update:

1. MASTER PLAN Progress and Map – **Update from Greg Smith and Engineer of Record Fred Ziari.**
<https://acrobat.adobe.com/id/urn:aaid:sc:US:481f92e3-39d8-4cff-983f-9344b504a928>
2. ODOT HB2017 Road Project – **Update from IRZ and Anderson Perry.**

Action Items

1. 10% Road Design and 30% Design – **A motion to approve the attached Preliminary Cost Estimate, the road design maps, and a project summary was made by Mr. Shafer, 2nd by Mr. Wenholz, Motion carries.**
<https://acrobat.adobe.com/id/urn:aaid:sc:US:0990d06d-3e8e-492c-8084-746da55e522b>
<https://acrobat.adobe.com/id/urn:aaid:sc:US:5c4ae247-441d-445f-8ece-30e440847bdb>



<https://acrobat.adobe.com/id/urn:aaid:sc:US:46d61a87-3f08-40fa-8189-a3d7bbdb5009>

<https://acrobat.adobe.com/id/urn:aaid:sc:US:89082ff9-6173-46fe-a859-c2448c7db808>

2. Water pipeline Easement UEC – **Mr. Wenholz recused himself from the vote and decision on this item, Mr. Sykes voted in his place for Morrow County. A motion to approve the new UEC Easement bringing power to the Umatilla County Water Pipeline site was made by Mr. Shafer, 2nd by Ms. Doherty, Motion carries.**
<https://acrobat.adobe.com/id/urn:aaid:sc:US:e70943bc-af50-4c19-b80d-c094b7f66774>
<https://acrobat.adobe.com/id/urn:aaid:sc:US:d818302c-eea6-4b0f-ac00-b8d0c2d02ec0>
3. Gate replacement at Westland/Lamb Rd – **Frontier Fence has installed the new Solar Fencing at the East Gate, which is a coded gate, the cost is 19,700.00 = \$2796.00 each CDA partner, because SDAO paid CDA a partial replacement cost of \$5720.00. We received payment from both Ports and both Counties.**
4. CDA BEO Checking Account Signers – **Current signers are: Kim Puzey, John Shafer, Jeff Wenholz, Don Sampson and Lisa Mittelsdorf. A motion was made by Mr. Shafer, 2nd by Mr. Wenholz to remove Don Sampson and Lisa Mittelsdorf from the BEO CDA checking account and replace them with Kelly Doherty and JD Tovey as signers for the CDA Bank Checking account, Motion carries.**
5. IRZ work with GSI – **A motion was made by Mr. Shafer, 2nd by Mr. Wenholz to approve the IRZ Work Order for the development of gravel activities around recharge on CDA industrial lands, Motion carries.**
<https://acrobat.adobe.com/id/urn:aaid:sc:US:2699db50-54a9-4319-8797-7b32c66665ec>
6. CDA Policy and Procedures Update Anti-Discrimination – **A motion was made by Ms. Doherty, 2nd by Mr. Wenholz to accept the Anti-Discrimination policy as presented, Motion carries.**
<https://acrobat.adobe.com/id/urn:aaid:sc:US:8699cafd-040f-48dc-82fc-4d4146fb1eb5>

New Business:

1. Brick Warehouse Building #403 use by Umatilla County – **Mr. Shafer and Mr. Dorran abstained from the vote. Umatilla County has requested to lease Brick Warehouse Building #403 for storing project equipment and materials. A motion was made by Mr. Wenholz, 2nd by Ms. Doherty, to allow the CDA and Umatilla County to enter into a one-year lease agreement for \$1 and to revisit the lease after the first year, Motion carries.**
2. Brick Warehouse Buildings and/or Demil Site Warehouses – **Greg Smith provided an update on a potential project has inquired about leasing the Brick Warehouse Buildings and/or the Demil Site Warehouses for storing building equipment.**
3. Staging Area Lease – **Greg Smith provided an update on a potential lease for approximately 3 years of 60 acres, they would do site upgrades.**
4. Irrigon Rural Fire and Protection District – **Attached is the Irrigon Rural Fire Protection District formal request for annexation. This item was moved up to the consent agenda as requested by CDA board chairman to allow for an earlier presentation.**
<https://acrobat.adobe.com/id/urn:aaid:sc:US:9b00e0de-ee3b-4548-85e7-dae74435202b>
See CDA Dates voted on Annexation to Hermiston, Boardman and Irrigon.
<https://acrobat.adobe.com/id/urn:aaid:sc:US:1575e860-fac8-4019-bb12-fb6ce251dd9b>

Old Business:

1. PLA CDA/CTUIR and Property Line Adjustment update. – **To simplify the process, CDA is seeking approval of a three-**



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step process where each “sequence” alters discrete property boundaries, with the desired resulting rearrangement of all 13 units of land only occurring after the final Sequence, as required by Umatilla Co. Planning. After all property line adjustments for the three Sequences are completed, the CDA will convey to Cleaver Land, LLC and the CTUIR, respectively, the Cleaver Farm Parcel and five units of land comprising a “CTUIR Tract.”

Action Item:

1. Open the Public Hearing:

Public Hearing:

The Board of the Columbia Development Authority, an entity formed by Intergovernmental Agreement between the County of Morrow, County of Umatilla, Port of Morrow, Port of Umatilla and the Confederated Tribes of the Umatilla Indian Reservation (hereinafter “CDA”), acting in the capacity as the Local Contract Review Board, will conduct a Public Hearing on March 26, 2024, to review and take comments on the draft findings of the adoption of an exemption from competitive bidding to ORS 279C.335(2). If the approved, the exemption would allow CDA to solicit and award a contract pursuant to a Design-Build alternative contracting method for public improvements associated with the design and construction of the South Oregon Trail parking lot and Interpretive area and 1944 Explosion Site Fencing and Interpretive area. The CDA meeting will begin at 1:00 pm by Zoom. All interested parties are encouraged to attend.

Document attached: Competitive Bidding Exemption Findings of Fact

<https://acrobat.adobe.com/id/urn:aaid:sc:US:cc10572c-dbd3-49d2-a0c6-5dd8ac08279e>

1. Presentation of the Findings of Fact – **Greg Smith read the findings of fact and conclusions for Board consideration.**
2. Public Comment on proposed findings of fact; - **The public comment period for the Findings of Fact was opened.**
3. Motion to adopt or make changes to findings; - **Mr. Wenzholz moved to adopt the findings of fact as presented, 2nd by Mr. Shafer.**
4. Vote on adoption of findings; - **Motion carries.**
5. Discussion of motion; - **Mr. Tovey requested to include a requirement of a disclosure of conflict of interest in the RFP. Jenny (in a public comment made via Zoom) requested a public comment period be held after a design has been selected. Ms. Doherty moved to add the following to the previously passed motion: to add a requirement of a disclosure of conflict of interest in the RFP and to hold a public comment period after a design has been selected, 2nd by Mr. Tovey, Motion carries.**
- **The public hearing was closed.**
6. Second motion to grant exemption to competitive bidding requirements based on findings; - **Mr. Tovey moved to grant exemption to competitive bidding requirements based on the findings, 2nd by Mr. Shafer.**
7. Vote on granting exemption based on findings. – **Motion carries.**



2. Close Public hearing – This item was completed after item # 5 of the hearing as requested by the board.

Discussion Item:

1. Schwabe Memo and CDA Depot Property Transition Program for CDA Property Division
<https://acrobat.adobe.com/id/urn:aaid:sc:US:7b289acc-5424-4012-bbf4-de4ee31600f5>
<https://acrobat.adobe.com/id/urn:aaid:sc:US:36cc2d97-c5f4-4477-a952-982aa9748925>
2. Port of Morrow Request for Property Division

Public Comment Period:

- There was no further public comment.

Action Item:

1. CDA Depot Property Transition Program for CDA Property Division.
2. Port of Morrow Request for Property Division. – **The following motion was read by Ms. Doherty: The Columbia Development Authority is a Local Reuse Authority as established under the Base Realignment and Closure Program. The Army transferred this property to the CDA through an Economic Development Conveyance. The purpose of this conveyance is to generate economic development. The Port of Morrow and the Port of Umatilla are charged with Industrial Development in each respective county. With that in mind, I make a motion that the Columbia Development Authority transfers tracts of property for the purposes as follows:
To CTUIR for Wildlife Habitat- 4019 acres of *Tract 1 (zoned Wildlife Habitat)*
To Port of Morrow for Economic Development - *Tract A and Tract B (zoned Port Industrial) approximately 1900 acres and Tract C (zoned EFU) approximately 634 acres*
To Port of Umatilla for Economic Development - *Tract F, Tract G, Tract G2, and Tract H (zoned Depot Industrial) approximately 1278 acres and the portion of Wildlife Habitat in Umatilla County not going to the CTUIR approximately 1257 acres.*
I further propose that Greg Smith works with each partner to complete a property transfer agreement acceptable by each Port and the CDA based in part or in whole on the proposed Depot Property Transition Program document as drafted.**

The Motion was 2nd by Mr. Wenholz, Ms. Doherty, Mr. Wenholz, and Mr. Puzey voted in favor and Mr. Shafer and Mr. Tovey opposed, Motion carries.

Public Comment Period:

- There was no further public comment.



EXECUTIVE SESSION

The CDA may hold an executive session meeting for the permissible reason(s) stated below under ORS 192.660(2). Representatives of the news media and designated staff and other persons shall be allowed to attend the executive session. All other members of the audience will be asked to leave the room or the CDA board may adjourn to another meeting room. The public virtual Zoom Meeting link will be closed during the executive session as permissible executive session meetings are not subject to HB2560. Representatives of the news media are specifically directed not to report on any of the deliberations during the executive session, except to state the general subject of the session as previously announced. No decision will be made in this executive session. At the end of the executive session, we will return to open session and welcome the audience back into the room in-person and open the public virtual Zoom Meeting link again.

A. For the Purpose of Consideration of Deliberations with the CDA's Executive Director and Other Staff Members Who Have Been Designated by the CDA to Negotiate Transactions Related to the Sale or Lease of Real Property – ORS 192.660 (2)(e)

- There was no Executive Session.

To Join the CDA Board Meeting by Zoom

<https://us02web.zoom.us/j/84034775464?pwd=aDRaTIVSYXZXdzUrbFhHZDRvazA1Zz09>

Meeting ID: 840 3477 5464

Passcode: 039461

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