

**MINUTES OF THE REGULAR COMMISSION MEETING
PORT OF CAMAS-WASHOUGAL
FEBRUARY 5, 2013**

By: Mary Murphy, Executive Assistant

A regular meeting of the Commissioners of the Port of Camas-Washougal was held at the Port Offices, 24 South 'A' Street, Washougal WA, on Tuesday, February 5, 2013, at 4:00 p.m.

PRESENT: Commissioners Bill Macrae-Smith, Bill Ward and Mark Lampton; Executive Director David Ripp; Finance Director and Auditor Kim Noah; Executive Assistant Mary Murphy; the Goodstein Law Group; and members of the press and public.

At 4:00 p.m., the Commission recessed into executive session to discuss four matters relating to property disposition, and two matters relating to property acquisition, pursuant to RCW 42.30.110(c) and (b). Following executive session, the Commission reconvened into general open session.

At 5:00 p.m., following the Pledge of Allegiance, Commission President Bill Ward called the public meeting to order.

- **CONSENT ITEMS**

- Minutes

The reading of the Minutes from the regular meeting of January 22, 2013 was dispensed with, it being noted that a copy of the Minutes had been provided previously to all Commissioners. After discussion, upon motion by Commissioner Lampton, seconded by Commissioner Macrae-Smith and carried unanimously, the Minutes from the January 22, 2013 regular meeting were approved as presented.

- Claims/Vouchers

After review, upon motion by Commissioner Lampton, seconded by Commissioner Macrae-Smith and carried unanimously, general fund vouchers 1266-1279, 105587-105591 and 23811-23858 in the total amount of \$164,339.26 and the issuance of warrants in payment thereof, were approved.

- **NEW BUSINESS / DISCUSSION ITEMS**

- CREDC Presentation

Director Ripp introduced CREDC President Lisa Nisenfeld who presented an overview of the major areas of effort for 2013. After stating that the Columbia River Economic Development Council is making no budget changes in light of the County pulling its share of funding, she outlined the Council's focus for the new year, which includes:

- Helping existing businesses grow
- Outbound recruitment focusing on software/IT and technology products
- Attract businesses that are new to the northwest
- Seek out companies that fit existing real estate opportunities (mentioned Steigerwald Commerce Center)
- Cooperate with Portland to benefit from greater outreach, shared database, etc.
- Connect technology and traditional industries to build alliances and products
- Work with Clark College and WSUV to grow the talent base
- Develop a recruitment tool kit to use and share
- Work with legislature, governor and DOE to streamline permitting process
- Grow the inventory of development-ready land for jobs in our region

A brief Q&A period followed the presentation. No decisions were made.

- Steigerwald Commerce Center Development Agreement

Director Ripp introduced Tim Schauer and Erin Toman of MacKay & Sposito, who reported on the status of the Development Agreement for Steigerwald Commerce Center. Schauer said they worked closely with the City of Washougal staff to finalize the draft for review at a City Council workshop. The Development Agreement (DA) acts as a contract between the Port and the City and offers predictability, i.e., even if the land is sold, the development standards would follow the land and any new owner would be responsible to implement the standards. The DA has a 25-year vesting period, with the exception of the traffic forecast which is 6 years. Schauer stated that even though the City staff requested a longer vesting period for traffic, he recommended the 6-year period because once the Port commits to the capacity it is committed to the impact which could be costly to the Port. He gave a hypothetical example of a future developer's project impacting intersections that were included in the Port's DA. In that case, that other developer would likely be responsible for costs associated with said intersections, not the Port. Schauer recommends the 6-year vesting period with a review and possible revisions every 5 to 6 years through a new traffic study.

Schauer explained that the DA itself is 14 pages, and the development standards are exhibits; that the DA will be recorded against the property and will protect the Port's development vision. MacKay & Sposito worked closely with Goodstein Law Group on the DA to include language that addressed all aspects of the DA, including annexation of a small piece of land inside the UGB but outside the City limits. The Port cannot place standards on property outside the City limits; therefore, proposed annexation of the small parcel to the east will be part of the Development Agreement and addressed during the City's annexation hearings this year. Schauer said that the next step is review by Washougal City Council. No decisions were made.

- Policies for Post-Issuance Bond Compliance

Finance Director Kim Noah reported that the Port's bond counsel recommends adoption of two policies setting forth procedures for compliance with federal tax law following issuance of bonds and during the life of the bond issue. She said that although the policies are not required, in the event of an IRS audit on the bonds, having such policies in place may favorably dispose the IRS on the outcome. Noah stated that a request to adopt the policies will be made during Action Items. No decisions were made.

- Hangar Lease Amendment

Director Ripp explained that the annual hangar lease amendment allowing storage of non-aviation, operational motor vehicles was due for renewal. After discussion, it was the consensus of staff and commissioners to include the storage provisions in the Airport Regulations & Policies, rather than have a separate amendment with annual renewals. The revised Regulations will be presented at a future meeting for review and approval. No decisions were made.

- **PUBLIC COMMENT #1**

Richard Hamby commented on the traffic study in the Steigerwald Commerce Center Development Agreement.

- **ACTION ITEMS**

- Policies for Post-Issuance Bond Compliance

Finance Director Noah requested approval of the two policies for post-issuance monitoring of bond compliance with federal tax laws. Upon motion by Commissioner Lampton, seconded by Commissioner Macrae-Smith and carried unanimously, the following policies were adopted:

Post Issuance Compliance Policy – Private Activity Bonds

Post Issuance Compliance Policy – Governmental Bonds

Effective February 5, 2013.

- **STAFF REPORTS & COMMENTS**

Director Ripp's verbal report included:

- Rail upgrade and spur refurbishment in Industrial Park;
- Rail agreements for use of rail and spur;
- Request for Qualifications re Waterfront Property cleanup;
- Remedial Action Grant application submitted to Dept. of Ecology;
- Recreational Lands Element of Comp Scheme being updated;
- Bldg. 15 plan;
- CERB grant application submitted; and
- Report on Steigerwald Commerce Center street project;

- **COMMISSIONER REPORTS**

Commissioner Lampton commented on CWEDA presentation at the February 19th meeting.

Commissioner Ward commented on improvements to the Port's lobby; the 2012 Community Report; and WPPA's Spring Meeting at Skamania Lodge.

- **PUBLIC COMMENT #2**

None.

The meeting adjourned at 6:15 p.m.

PORT OF CAMAS-WASHOUGAL COMMISSION

Commissioners