



AGENDA
Columbia Development Authority
Board Meeting
Tuesday, October 25, 2022
1pm
Location: Umatilla County Court House
216 SE 4th Street, Pendleton

Note: If you are unable to join us in person, please join us by **Zoom**.

Welcome and Greetings from Chairman Jim Doherty

Introductions CDA Board Members

CDA Board Members:

- Chairman Jim Doherty, Morrow County
- Vice Chair Kim Puzey, Port of Umatilla
- Lisa Mittelsdorf, Port of Morrow
- John Shafer, Umatilla County
- Don Sampson, CTUIR
- Alternate Morrow County Don Russell, Alternate Umatilla County Bob Waldher, Alternate CTUIR
Kat Brigham, Alternate Port of Umatilla Robert Blanc, Alternate Port of Morrow Joe Taylor

CDA Staff: Greg Smith, CDA Director, Debbie Pedro, CDA Assistant

Elizabeth Howard, Schwabe - CDA Attorney

Guests Introductions and members of the press

Consent Agenda

1. Approve CDA Board Meeting Minutes September 27, 2022
2. Approve the CDA- BEO Statement September 2022 \$134,626.71 and QuickBooks September 2022 Balance Sheet and P/L of \$134,626.71
3. Port of Morrow Report on Grant Expenditures through September 2022

Old Business

1. Deed Process
2. Letter of Credit
3. ODOT Update
4. Approval of the PRR Policy
5. Water Advisory Committee



New Business

1. Annual Report
2. Economic Development Updates by CDA Members

Public Comment

Executive Session

Note: If an item is to move to an Executive Session the board chairman will make the recommendation at this time.

An Executive Session will be held to consider information or records that are exempt by law from public inspection, including attorney-client privileged information or records, and to conduct deliberations with persons designated by the Board to negotiate real property transactions. The executive session is being held pursuant to ORS 192.660(2)(e) and ORS 192.660(2)(f). Further pursuant to ORS 192.660(2)(f), a public body "has the authority to meet in executive session to obtain other professional legal services from its legal counsel." Or. Dept of Justice, Attorney General's Public Records and Meetings Manual 2019: Public Meetings, Voting § (E)(1)(h)

Return to Regular Session

Adjourn

Join Zoom Meeting

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

Meeting ID: 840 3477 5464

Passcode: 039461

One tap mobile

+12532158782,,84034775464#,,,,*039461# US (Tacoma)

+13462487799,,84034775464#,,,,*039461# US (Houston)

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Meeting ID: 840 3477 5464

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Find your local number: <https://us02web.zoom.us/j/84034775464?pwd=aDRaTIVSYXZXdzUrbFhHZDRvazA1Zz09>



MINUTES
Columbia Development Authority
Board Meeting
Tuesday, September 27, 2022
1pm
Location: Port of Morrow

Note: If you are unable to join us in person, please join us by **Zoom**.

Welcome and Greetings from Chairman Jim Doherty

Introductions CDA Board Members

CDA Board Members:

- Chairman Jim Doherty, Morrow County
- Lisa Mittelsdorf, Port of Morrow
- John Shafer, Umatilla County
- Don Sampson, CTUIR
- Alternate Port of Morrow Joe Taylor

CDA Staff: Greg Smith, CDA Director, Debbie Pedro, CDA Assistant

Elizabeth Howard, Schwabe - CDA Attorney

Guests Introductions and members of the press

Herb Stahl, Dan Hester, Benjamin Burgener, Doug Olsen, Pete Tubner, Brad Baird, David Sykes, Richard Lani, Dawson Quintion, Ryan DeGroft, Shannon Souza, Ken Patterson, Tamra Mabbott, Michele Lanigan, David Brown, Josh Burns, Tom Lineer, Byron Smith and Patrick Collins.

Consent Agenda

1. Approve CDA Board Meeting Minutes July 26, 2022
2. Approve the CDA- BEO Statements July and August 2022 \$134,626.71 and QuickBooks July and August 2022 Balance Sheet and P/L of \$134,626.71
3. Port of Morrow Report on Grant Expenditures July and August 2022

Consent Agenda Motion was moved to approve the consent agenda by Mr. Shafer, 2nd by Mr. Sampson, Motion carried.

Old Business

1. Approval of the Army/CDA MOA **Motion was moved to approve the MOA agreement between the US Department of the Army and CDA for the Economic Development Conveyance for a portion of the Umatilla Chemical Depot, by Ms. Mittelsdorf, 2nd by Mr. Shafer, Motion carried.**
2. Approval of One Million Dollar Transaction **Motion was moved by Ms. Mittelsdorf to approve the Letter of Credit with a lender of the CDA choice, Director Smith will do the due diligence, the One Million Dollars which would be payable in 12 months of the**



closing and 2nd by Mr. Shafer, Motion carried. Motion to withdraw the motion/discussion on the vote for a 1/3, 1/3, 1/3 payment by CTUIR, Morrow County and Umatilla County for the Million Dollar investment was moved by Mr. Sampson, 2nd by Mr. Shafer; Motion Carried.

- 3. Engineering Agreements Motion was moved to terminate the Anderson perry contract for the HB 2017 grant, CDA will go out for the public bidding process. By Ms. Mittelsdorf and 2nd by Mr. Shafer, Motion Carried.**

Ms. Howard shared that there are two agreements and that she wanted to clarify which contract was previously spoken about at a board meeting.

Mr. Sampson shared it is essential that the CDA follows state and local contracting laws and policies.

Mr. Sampson shared that the CDA should make it a priority to pay the One Million Dollars with in the 12 month period.

Mr. Smith shared that CDA board could discuss further during the Executive Session referring to two letters to be sent to Anderson Perry regarding two separate agreements.

- 4. CDA/ODOT IGA Motion was moved by Mr. Shafer to except the IGA with ODOT and the CDA to eliminate the word (then), where it says then west on page 17 exhibit A of this agreement, 2nd by Mr. Doherty, Motion Carried.**
- 5. MOA OMD/CDA/UEC Motion was moved by Ms. Mittelsdorf to except the MOA with OMD, CDA and UEC, 2nd by Mr. Doherty, Motion Carried.**
- 6. Emergency Services Update**
- 7. Water Advisory Committee Discussion by the CDA board on the size of the Water advisory committee, it was decided that seven committee members would be acceptable. Mr. Shafer will lead the effort.**

New Business

- 1. 8.22 Acre Parcel Inquiry of this parcel in the NW portion of the property was made by the Bureau of Reclamation. The Bureau would like to acquire this property. They were originally owned or this property and they have had previous discussions with the Army. This item is on hold until CDA owns the property.**
- 2. Public Records Request Policy The board suggest that CDA Counsel meet with CDA partners legal counsel to discuss the PRR Request Policy for review and come back to the CDA board with their expert advice.**
- 3. Annual Report/October**
- 4. Economic Development Updates by CDA Members**



Columbia Development Authority

8. MOA OMD/CDA/UEC
9. Emergency Services update
10. Water Advisory Committee

New Business

1. 8.22 Acre Parcel
2. Public Records Request Policy
3. Annual Report/October
4. Economic Development Updates by CDA Members

Public Comment no comments

Executive Session

The CDA Board Meeting resumed for the following Motions:

Motion was moved by Mr. Shafer to terminate services and notice of completion for engineering by Anderson Perry and Associates Agreements as listed:

- 1. Agreement for Engineering Services ref to HB2017 Notice of Termination of Services: Agreement for Engineering Services, April 14, 2022.**
 - 2. Notice of Completion of Services: Agreement for Engineering Services, June 1, 2020**
- 2nd by Ms. Mittelsdorf, Motion Carries.**

Note: If an item is to move to an Executive Session the board chairman will make the recommendation at this time.

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Return to Regular Session

Adjourn

Join Zoom Meeting

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Meeting ID: 840 3477 5464

Two Marine Drive
P.O. Box 200
Boardman, OR 97818
541-481-3693
www.columbiadevelopmentauthority.com



Columbia Development Authority

Passcode: 039461

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Boardman, OR 97818
541-481-3693

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PORT OF MORROW

CDA Grant Expenditures: 4.1.2022 - 9.30.2022 as of 10.13.2022

CL090-22-01:

Date	Description	Debits
400.4200.00 - WAGES		
	04/12/22 Payroll Bi-Weekly 4/8/2022	\$7,916.00
	04/26/22 Payroll Bi-Weekly 4/22/2022	\$7,916.00
	05/10/22 Payroll Bi-Weekly 5/6/2022	\$7,698.08
	05/24/22 Payroll Bi-Weekly 5/20/2022	\$7,843.36
	06/07/22 Payroll Bi-Weekly 6/3/2022	\$7,698.08
	06/21/22 Payroll Bi-Weekly 6/17/2022	\$7,698.08
	07/05/22 Payroll Bi-Weekly 7/1/2022	\$7,770.72
	07/19/22 Payroll Bi-Weekly 7/15/2022	\$7,705.40
	08/02/22 Payroll Bi-Weekly 7/29/2022	\$7,705.40
	08/16/22 Payroll Bi-Weekly 8/12/2022	\$7,931.80
	08/30/22 Payroll Bi-Weekly 8/26/2022	\$8,008.10
	09/13/22 Payroll Bi-Weekly 9/9/2022	\$7,855.50
	09/27/22 Payroll Bi-Weekly 9/23/2022	\$8,008.10
WAGES - LRA TOTAL:		\$101,754.62

415.4200.00 - P/R COST 42% **\$42,736.94**

Payroll Costs - LRA TOTAL: **\$144,491.56**

506.4200.00 CONTRACT SERVICES

4/30/2022 ANDERSON PERRY & ASSOCIATES - PROFESSIONAL SERVICES	\$7,282.82
5/31/2022 ANDERSON PERRY & ASSOCIATES - PROFESSIONAL SERVICES	\$13,550.33
6/30/2022 ANDERSON PERRY & ASSOCIATES - PROFESSIONAL SERVICES	\$4,242.50
7/31/2022 ANDERSON PERRY & ASSOCIATES - PROFESSIONAL SERVICES	\$9,593.76

8/31/2022 ANDERSON PERRY & ASSOCIATES - PROFESSIONAL SERVICES

\$5,920.00

CONTRACT SERVICES - LRA TOTAL:

\$40,589.41

515.4200.00 - TELEPHONE - LRA

4/30/2022 DEBORAH PEDRO - APRIL PHONE	\$100.00
4/30/2022 GREGORY SMITH - APRIL PHONE	\$100.00
5/31/2022 DEBORAH PEDRO - MAY PHONE	\$100.00
5/31/2022 GREGORY SMITH - MAY PHONE	\$100.00
6/30/2022 DEBORAH PEDRO - JUNE PHONE	\$100.00
6/30/2022 GREGORY SMITH - JUNE PHONE	\$100.00
7/31/2022 DEBORAH PEDRO - JULY PHONE	\$100.00
7/31/2022 GREGORY SMITH - JULY PHONE	\$100.00
8/30/2022 DEBORAH PEDRO - AUGUST PHONE	\$100.00
8/30/2022 GREGORY SMITH - AUGUST PHONE	\$100.00
9/30/2022 DEBORAH PEDRO - SEPTEMBER PHONE	\$100.00
9/30/2022 GREGORY SMITH - SEPTEMBER PHONE	\$100.00

TELEPHONE - LRA TOTAL:

\$1,200.00

550.4200.00 - SUPPLIES - LRA

4/22/2022 VISA 8246** - 8246: OFFICE SUPPLIES	\$64.10
5/22/2022 VISA 8246** - 8246: OFFICE SUPPLIES	\$281.86
6/21/2022 VISA 8246** - 8246: SUPPLIES & STORAGE	\$91.15
7/22/2022 VISA 8246** - 8246: office supplies	\$16.58
8/22/2022 VISA 8246** - 8246: office supplies and OWL	\$1,791.34
9/21/2022 VISA 8246** - 8246: Google storage	\$1.99

SUPPLIES - LRA TOTAL:

\$2,247.02

555.4200.00 - LEGAL - LRA

5/13/2022 SCHWABE, WILLIAMSON & WYATT - Umatilla Army Depot Acquisition	\$39,513.50
5/16/2022 SCHWABE, WILLIAMSON & WYATT - Umatilla Army Depot Acquisition	\$20,391.00
5/16/2022 SCHWABE, WILLIAMSON & WYATT - Umatilla Army Depot Acquisition	\$4,680.00
5/30/2022 SCHWABE, WILLIAMSON & WYATT - Umatilla Army Depot Acquisition	\$23,041.00
5/30/2022 SCHWABE, WILLIAMSON & WYATT - Umatilla Army Depot Acquisition	\$633.50
6/30/2022 SCHWABE, WILLIAMSON & WYATT - Umatilla Army Depot Acquisition	\$20,943.00
7/30/2022 SCHWABE, WILLIAMSON & WYATT - Umatilla Army Depot Acquisition	\$29,407.50
8/31/2022 SCHWABE, WILLIAMSON & WYATT - Umatilla Army Depot Acquisition	\$4,889.36
8/31/2022 SCHWABE, WILLIAMSON & WYATT - Umatilla Army Depot Acquisition	\$798.00
8/31/2022 SCHWABE, WILLIAMSON & WYATT - Umatilla Army Depot Acquisition	\$1,083.00
9/30/2022 SCHWABE, WILLIAMSON & WYATT - Umatilla Army Depot Acquisition	\$12,642.00
9/30/2022 SCHWABE, WILLIAMSON & WYATT - Umatilla Army Depot Acquisition	\$8,907.00
9/30/2022 SCHWABE, WILLIAMSON & WYATT - Umatilla Army Depot Acquisition	\$399.00

LEGAL - LRA TOTAL:**\$167,327.86****570.4200.00 - TRAVEL - LRA**

4/30/2022 DEBORAH PEDRO - REIMB. Depot tour, CDA board mtg, Umatilla chamber luncheon	\$106.47
4/30/2022 GREGORY SMITH - REIMB. Depot tour, CDA board mtg, Umatilla chamber luncheon	\$106.47
5/31/2022 DEBORAH PEDRO - REIMB. depot tours, chamber mtg, water mtg	\$93.01
5/31/2022 GREGORY SMITH - REIMB. TC Energy Mtg, Tri Cities Dev.Mtg, Water Mtg	\$70.78
6/21/2022 VISA 8246** - 8246: DEPARTMENT OF DEFENSE CONF.REGISTRATION	\$595.00
6/21/2022 VISA 6348** - 6348: travel exp. Project Visit Nikola/TC Energy	\$2,432.59
6/28/2022 BOARDMAN CHAMBER OF COMMERCE - Luncheon - Debbie	\$15.00
6/30/2022 DEBORAH PEDRO - REIMB. chamber mtg	\$50.31
6/30/2022 GREGORY SMITH - REIMB.: TRAVEL EXP.	\$61.70
7/22/2022 VISA 8246** - 8246: County Planners mtg, SKY NRG Utility mtg	\$294.85
7/31/2022 DEBORAH PEDRO - REIMB. planners mtg, BRAC, board mtg	\$128.75
7/31/2022 GREGORY SMITH - REIMB.: Board mtg, planners mtg, BRAC, SkyNRG project mtg	\$258.75
8/30/2022 GREGORY SMITH - REIMB.: Depot tours	\$67.50
8/30/2022 DEBORAH PEDRO - REIMB. DEPOT TOURS, Mtg's, Board Training	\$143.75
9/21/2022 BOARDMAN CHAMBER OF COMMERCE - Luncheon - Debbie	\$15.00
9/30/2022 DEBORAH PEDRO - Mileage Reimb: chamber, OMD Ceremony, Port of Umatilla mtg	\$80.00

9/30/2022 GREGORY SMITH - REIMB.: OMD Ceremony

\$20.00

TRAVEL - LRA TOTAL:

\$4,539.93

573.4200.00 - EDUCATION CDA

8/22/2022 VISA 8246** - 8246: Oregon economic development training

\$213.80

EDUCATION - CDA TOTAL:

\$213.80

580.4200.00 - DUES & SUBSCRIPTIONS - LRA

5/19/2022 ASSOCIATION OF DEFENSE COMM. - MEMBERSHIP DUES

\$450.00

7/22/2022 VISA 8246** - 8246: Domain renewal, google cloud storage

\$193.99

DUES & SUBSCRIPTIONS - LRA TOTAL:

\$643.99

594.4200.00 - LEASE EXPENSE - LRA

4/30/2022 LRA Lease

\$2,906.83

5/31/2022 LRA Lease

\$2,906.83

6/30/2022 LRA Lease

\$2,906.83

7/31/2022 LRA Lease

\$2,906.83

8/31/2022 LRA Lease

\$2,906.83

9/30/2022 LRA Lease

\$2,906.83

LEASE EXPENSE - LRA TOTAL:

\$17,440.98

TOTAL OF LEDGER:

GRANT YEAR TO-DATE

\$378,694.55

LESS QUARTER 1 GRANT RECEIPT

\$ (192,986.47)

MATCH (5 ENTITIES x \$4,288.59)

\$ (21,442.95)

EXPENSES TOWARDS 2ND QTR ENDING 9/30/22

\$164,265.13

PORT OF MORROW

Quarterly CDA Grant Expenditures: 7.1.2022 - 9.30.2022 as of 10.13.2022

CL090-22-01:

Date	Description	Debits
400.4200.00 - WAGES		
07/05/22	Payroll Bi-Weekly 7/1/2022	\$7,770.72
07/19/22	Payroll Bi-Weekly 7/15/2022	\$7,705.40
08/02/22	Payroll Bi-Weekly 7/29/2022	\$7,705.40
08/16/22	Payroll Bi-Weekly 8/12/2022	\$7,931.80
08/30/22	Payroll Bi-Weekly 8/26/2022	\$8,008.10
09/13/22	Payroll Bi-Weekly 9/9/2022	\$7,855.50
09/27/22	Payroll Bi-Weekly 9/23/2022	\$8,008.10
WAGES - LRA TOTAL:		\$54,985.02
415.4200.00 - P/R COST 42%		\$23,093.70
Payroll Costs - LRA TOTAL:		\$78,078.72
506.4200.00 CONTRACT SERVICES		
7/31/2022	ANDERSON PERRY & ASSOCIATES - PROFESSIONAL SERVICES	\$9,593.76
8/31/2022	ANDERSON PERRY & ASSOCIATES - PROFESSIONAL SERVICES	\$5,920.00
CONTRACT SERVICES - LRA TOTAL:		\$15,513.76

515.4200.00 - TELEPHONE - LRA

7/31/2022	DEBORAH PEDRO - JULY PHONE	\$100.00
7/31/2022	GREGORY SMITH - JULY PHONE	\$100.00
8/30/2022	DEBORAH PEDRO - AUGUST PHONE	\$100.00
8/30/2022	GREGORY SMITH - AUGUST PHONE	\$100.00
9/30/2022	DEBORAH PEDRO - SEPTEMBER PHONE	\$100.00
9/30/2022	GREGORY SMITH - SEPTEMBER PHONE	\$100.00

TELEPHONE - LRA TOTAL: \$600.00

550.4200.00 - SUPPLIES - LRA

7/22/2022	VISA 8246** - 8246: office supplies	\$16.58
8/22/2022	VISA 8246** - 8246: office supplies and OWL	\$1,791.34
9/21/2022	VISA 8246** - 8246: Google storage	\$1.99

SUPPLIES - LRA TOTAL: \$1,809.91

555.4200.00 - LEGAL - LRA

7/30/2022	SCHWABE, WILLIAMSON & WYATT - Umatilla Army Depot Acquisition	\$29,407.50
8/31/2022	SCHWABE, WILLIAMSON & WYATT - Umatilla Army Depot Acquisition	\$4,889.36
8/31/2022	SCHWABE, WILLIAMSON & WYATT - Umatilla Army Depot Acquisition	\$798.00
8/31/2022	SCHWABE, WILLIAMSON & WYATT - Umatilla Army Depot Acquisition	\$1,083.00
9/30/2022	SCHWABE, WILLIAMSON & WYATT - Umatilla Army Depot Acquisition	\$12,642.00
9/30/2022	SCHWABE, WILLIAMSON & WYATT - Umatilla Army Depot Acquisition	\$8,907.00
9/30/2022	SCHWABE, WILLIAMSON & WYATT - Umatilla Army Depot Acquisition	\$399.00

LEGAL - LRA TOTAL: \$58,125.86

570.4200.00 - TRAVEL - LRA

7/22/2022 VISA 8246** - 8246: County Planners mtg, SKY NRG Utility mtg	\$294.85
7/31/2022 DEBORAH PEDRO - REIMB. planners mtg, BRAC, board mtg	\$128.75
7/31/2022 GREGORY SMITH - REIMB.: Board mtg, planners mtg, BRAC, SkyNRG project mtg	\$258.75
8/30/2022 GREGORY SMITH - REIMB.: Depot tours	\$67.50
8/30/2022 DEBORAH PEDRO - REIMB. DEPOT TOURS, Mtg's, Board Training	\$143.75
9/21/2022 BOARDMAN CHAMBER OF COMMERCE - Luncheon - Debbie	\$15.00
9/30/2022 DEBORAH PEDRO - Mileage Reimb: chamber, OMD Ceremony, Port of Umatilla mtg	\$80.00
9/30/2022 GREGORY SMITH - REIMB.: OMD Ceremony	\$20.00

TRAVEL - LRA TOTAL: \$1,008.60

573.4200.00 - EDUCATION CDA

8/22/2022 VISA 8246** - 8246: Oregon economic development training	\$213.80
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EDUCATION - CDA TOTAL: \$213.80

580.4200.00 - DUES & SUBSCRIPTIONS - LRA

7/22/2022 VISA 8246** - 8246: Domain renewal, google cloud storage	\$193.99
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DUES & SUBSCRIPTIONS - LRA TOTAL: \$193.99

594.4200.00 - LEASE EXPENSE - LRA

7/31/2022 LRA Lease	\$2,906.83
8/31/2022 LRA Lease	\$2,906.83
9/30/2022 LRA Lease	\$2,906.83

LEASE EXPENSE - LRA TOTAL: \$8,720.49

TOTAL OF LEDGER: GRANT YEAR TO-DATE \$164,265.13

Columbia Development Authority
Balance Sheet
As of September 30, 2022

	<u>Sep 30, 22</u>
ASSETS	
Current Assets	
Checking/Savings	
CDA Checking Account-BEO	134,626.71
Total Checking/Savings	<u>134,626.71</u>
Total Current Assets	<u>134,626.71</u>
TOTAL ASSETS	<u>134,626.71</u>
LIABILITIES & EQUITY	
Equity	
Unrestricted Net Assets	133,610.71
Net Income	1,016.00
Total Equity	<u>134,626.71</u>
TOTAL LIABILITIES & EQUITY	<u>134,626.71</u>

Columbia Development Authority
Profit & Loss Detail
 January through September 2022

Type	Date	Num	Name	Memo	Clr	Split	Amount	Balance
Ordinary Income/Expense								
Income								
Sub-Lease Igloo and Land								
Deposit	01/24/2022	172360	Bay West	Sub-lease		CDA Checking ...	500.00	500.00
Deposit	02/22/2022		Bay West	Sub-Lease		CDA Checking ...	500.00	1,000.00
Deposit	03/17/2022	DEP	Walla Walla Foundry	Sub-lease		CDA Checking ...	9,000.00	10,000.00
Deposit	03/25/2022	DEP	Bay West	Sub-lease		CDA Checking ...	500.00	10,500.00
Deposit	05/11/2022	DEP	Bay West	Sublease		CDA Checking ...	500.00	11,000.00
Deposit	06/02/2022	DEP	Bay West	Sub-lease		CDA Checking ...	500.00	11,500.00
Deposit	07/11/2022	DEP	Bay West	Sub-lease		CDA Checking ...	500.00	12,000.00
Total Sub-Lease Igloo and Land							12,000.00	12,000.00
Total Income							12,000.00	12,000.00
Gross Profit							12,000.00	12,000.00
Expense								
Insurance Expense								
Check	03/07/2022	2501	Special Districts Ins...	Special Distric...		CDA Checking ...	1,984.00	1,984.00
Total Insurance Expense							1,984.00	1,984.00
Personal Services								
Check	03/17/2022	2502	Edward Orloski	Personal Serv...		CDA Checking ...	4,500.00	4,500.00
Check	04/12/2022	2503	Edward Orloski	Personal Serv...		CDA Checking ...	4,500.00	9,000.00
Total Personal Services							9,000.00	9,000.00
Total Expense							10,984.00	10,984.00
Net Ordinary Income							1,016.00	1,016.00
Net Income							1,016.00	1,016.00

12:29 PM
10/17/22

Columbia Development Authority
Reconciliation Summary
CDA Checking Account-BEO, Period Ending 09/30/2022

	<u>Sep 30, 22</u>
Beginning Balance	134,626.71
Cleared Balance	134,626.71
Register Balance as of 09/30/2022	134,626.71
Ending Balance	134,626.71

12:29 PM

10/17/22

Columbia Development Authority
Reconciliation Detail
CDA Checking Account-BEO, Period Ending 09/30/2022

Type	Date	Num	Name	Clr	Amount	Balance
Beginning Balance						134,626.71
Cleared Balance						134,626.71
Register Balance as of 09/30/2022						134,626.71
Ending Balance						134,626.71

 Columbia Development Authority	NUMBER	SUPERSEDES
	EFFECTIVE DATE _____	PAGE NUMBER Pages 1 of 2
	REFERENCE/AUTHORITY	
POLICY OWNER Columbia Development Authority (“CDA”)	Resolution# _____	
SUBJECT Public Records Requests Policy	APPROVED SIGNATURE Greg Smith, Executive Director	

PURPOSE

This Public Records Requests Policy is intended to support the CDA with consistency by establishing standards for the CDA relating to charging practices and policies for fulfilling requests for public records and providing a standard process for the CDA to use when evaluating requests to reduce or waive fees assessed for fulfilling a request.

The CDA shall review and, if necessary, update its Public Records Request charging policies and practices from time to time.

APPLICABILITY & PROCESS

This Policy applies to the Columbia Development Authority.

Columbia Development Authority is not an agency of the State of Oregon (see Amended and Restated Columbia Development Authority Intergovernmental Agreement (2014)), nor is it a public body as that term is defined in the Oregon Public Records Laws. See ORS 192.311(4). However, pursuant to its Intergovernmental Agreement, CDA “shall be subject to the requirements of the...Public Records...laws of the State of Oregon.” Amended and Restated Columbia Development Authority Intergovernmental Agreement, Section 5.d.

The requirements in this Policy do not supersede, modify or replace the existing or other legal responsibilities of the Columbia Development Authority.

The Columbia Development Authority is the “custodian” as defined in ORS 192.311(2) for purposes of responding to a public records request submitted in compliance with this policy.

The executive assistant for the Columbia Development Authority shall receive and process all public records requests submitted to the CDA in compliance with this Policy.

Within five business days of receipt of a written request to inspect or receive a copy of a public record submitted in compliance with this policy, CDA shall acknowledge receipt of the request or complete the public body’s response to the request. An acknowledgment under this subsection must:

- (a) Confirm that CDA is the custodian of the requested record;
- (b) Inform the requester that the CDA is not the custodian of the requested record; or
- (c) Notify the requester that the CDA is uncertain whether the public body is the custodian of the requested record.

Within fifteen business days or as soon as reasonably possible, the CDA shall:

- (a) Complete its response to the public records request; or
- (b) Provide a written statement that the CDA is still processing the request and a reasonable estimated date by which the CDA expects to complete its response based on the information currently available.

Upon receipt of a public records request, CDA staff and directors shall deliver responsive public record documents to the executive assistant within five business days of receipt of the public records request (which shall be shared upon receipt with the CDA board and staff) so as to facilitate a timely response to any public records request.

Pursuant to ORS 192.311(5):

(a) "Public record" includes any writing that contains information relating to the conduct of the public's business, including but not limited to court records, mortgages, and deed records, prepared, owned, used or retained by a public body regardless of physical form or characteristics.

(b) "Public record" does not include any writing that does not relate to the conduct of the public's business and that is contained on a privately owned computer.

EXHIBITS

- **EXHIBIT A: Public Records Request Form & Submission**
- **EXHIBIT B: Standardized Fee-Schedule**
- **EXHIBIT C: Public Interest Threshold Evaluation Form (Fee-Waiver or –Reduction Request)**

Exhibit A: Public Records Request Form & Submission

Public Records Request Form & Submission

Any person (as defined in ORS 192.311(3)) who seeks to inspect a public record (as defined in ORS 192.311(5)) shall submit a written request to the Columbia Development Authority in compliance with the following:

All public records requests to the Columbia Development Authority, including requests to its staff and directors, shall be submitted in writing by regular United State mail to:

Debbie Pedro, Executive Assistant
Columbia Development Authority
P.O. Box 200
Boardman OR 97818

If a person who is a party to a civil judicial proceeding to which CDA is a party, or who has filed a notice under ORS 30.275 (5)(a), asks to inspect or to receive a copy of a public record that the person knows relates to the proceeding or notice, the person must submit the request in writing to Debbie Pedro and, at the same time, to:

Schwabe
Attn: Elizabeth Howard
1211 SW 5th Ave., Suite 1900
Portland, OR 97204

A public records request will be deemed received on the date it is received in compliance with the above requirements.

Exhibit B: CDA Standardized Fee-Schedule

Standard Fee-Schedule

Except as noted below, the CDA will waive 30 minutes of staff time for all Public Records Requests after which fees may be assessed for additional staff time, applicable services and supplies required to fulfill a Public Records Request in accordance with the applicable fee-schedule below.

The CDA may deny eligibility for the 30-minute waiver if abuse by the requester is determined to exist either by:

- a) Fragmenting a request that if taken in the aggregate would amount to significantly more than 30 minutes; or
- b) Submitting multiple small requests in a short time-frame causing an undue burden on the CDA.

The hourly rate charged for staff time (more than 30 minutes) will be based on the level of skill or expertise required to complete the work performed. Meaning, if work done to fulfill a request requires clerical-level skills, CDA may only charge the clerical hourly rate time spent on that portion of the work (as a maximum), even if a managerial-level or professional-level employee actually fulfills the request on behalf of the CDA.

The CDA will not charge for staff time spent witnessing records inspection when the estimated cost of making public records available for inspection is:

- less than the cost of providing the requestor with a copy of the public record; or
- insignificant (requested public records are readily accessible and do not require review, redaction or segregation).

Fees will be charged for staff time required to redact exempt information from requested public records prior to release. Fees will be charged for staff time required to organize, summarize, compile or tailoring the public records to meet the request. ORS 192.324.

Staff time

Fees for staff time required to fulfill a Public Records Request shall not exceed:

- **\$25/hour for Clerical** (administrative, office specialists, other support staff)
- **\$37/hour for Executive Director**
- **Attorney and other applicable legal fees:** at the actual hourly rate charged for Public Records Request-related services. Attorney fees may not be charged for determining the applicability of the provisions of ORS 192.311 to 192.478. [ORS 192.324](#).

Production of Responsive Records

Fees generated by providing paper or electronic copies to requesters:

- **Copies:** Based on current state printing and distribution price list.
- **Media:** Based on copy and copy size.
- **Postage:** Based on current postal rates.

Additional Cost Considerations

Miscellaneous fees related to production and release of responsive records:

- Costs of software companies/contracts (as needed to manage the volume of request)
- Other 3rd party costs (in extreme circumstances)

Exhibit C: Public Interest Fee-Waiver or -Reduction Request

Public Interest Threshold Evaluation Form

HOW TO USE THIS FORM:

A public body is statutorily required to consider and grant reasonable requests to waive and/or reduce fees associated with fulfilling a public records request when doing so is in the public interest because providing access primarily benefits the general public.

The Public Interest Threshold Evaluation provides public bodies with standardized criteria to use when evaluating a request for a fee-reduction/waiver submitted by a public records requestor under ORS 192.440(5). CDA shall consider each factor to determine whether the public interest in disclosure of the requested records warrants granting a fee-reduction/waiver.

All requests for a Public Interest Fee-Waiver or -Reduction will be evaluated on a case-by-case basis using information provided by the requestor as well as information independently available to CDA.

ADDITIONAL GUIDANCE:

- To adequately balance transparency and accessibility with the prudently safeguarding public funds and resources, fee-waivers and -reductions should be granted when the statutory standard has been met – when disclosure will primarily benefit the general public.
- A request to waive or reduce fees related to a public records request, that requires substantial CDA resources to complete, may be denied if the interest of the general public would be better served by preserving CDA resources.
- The public interest is not a fixed concept and the balance of public interest may change over time. It may shift as information becomes older or in the light of issues of the day. The circumstances at the time of the request will be considered.
- A genuine public interest in the subject matter of a request is required as the basis for granting a waiver. The public interest is not necessarily the same as what interests the public. The fact that a topic has been discussed in the media does not automatically mean that there is a public interest in disclosing the information that has been requested about it.
- This standardized fee-structure does not supersede, modify or replace the existing legal responsibilities of the CDA. The CDA must continue to meet obligations required by applicable laws, policies, procedures and standards including without limitation: public records laws, privacy laws and regulations and fees for certain public records as defined in statute.

Note:

Requests for fee-reduction or waiver will be evaluated on a case-by-case basis based on:

- **The information provided by the requester; and**
- **The totality of circumstances at the time of the request.**

Previous requests and evaluations will not be considered as part of the evaluation.

Date of Request: _____

Name of Requestor: _____

Requested Record(s): _____

PUBLIC INTEREST THRESHOLD CRITERIA

Public Interest Threshold Criteria Evaluation

The CDA shall consider the criteria below to determine whether waiving or reducing the costs associated with fulfilling a public records request would serve the public interest by primarily benefiting the general public.

Public Interest:

- | | | |
|---|---------------------------------|--------------------------------|
| 1. Would disclosure of the requested information, directly impact, affect, or serve an identified interest of the general public? | YES
<input type="checkbox"/> | NO
<input type="checkbox"/> |
| 2. Would the requested information, advance the welfare or well-being of the general public? | YES
<input type="checkbox"/> | NO
<input type="checkbox"/> |
| 3. Will the requester be able to actually, meaningfully disseminate the requested information? | YES
<input type="checkbox"/> | NO
<input type="checkbox"/> |

Private or Commercial Interest:

- | | | |
|--|---------------------------------|--------------------------------|
| 4. Is the public benefit greater than the individual benefit derived from disclosure? | YES
<input type="checkbox"/> | NO
<input type="checkbox"/> |
| 5. Is there a specifically identified purpose for which the public records are being sought that is wholly unrelated to 1) commercial purposes; or 2) actual or possible use in connection with administrative, judicial or legal proceedings? | YES
<input type="checkbox"/> | NO
<input type="checkbox"/> |

Reasonableness:

- | | | |
|---|---------------------------------|--------------------------------|
| 6. Is the request targeted at a specifically identified matter (meaning, not overly-broad or -complex)? | YES
<input type="checkbox"/> | NO
<input type="checkbox"/> |
| 7. Can the CDA grant a waiver or reduce fees without causing an unreasonable burden on CDA resources? | YES
<input type="checkbox"/> | NO
<input type="checkbox"/> |
| 8. Is the public interest served by disclosure greater than the burden to the CDA (amount of staff time diverted to fulfilling a request and costs of subsidization)? | YES
<input type="checkbox"/> | NO
<input type="checkbox"/> |

Determination/Decision:

Employee Name (Print)

Signature

Date

A yes or no determination regarding a single criterion or for majority of the criteria does not guarantee the granting of a fee-reduction or waiver. Each request will be considered on a case-by-case basis, based on the information provided by the requester and the totality of the circumstances at the time of the request.