



Dedicated to supporting the creation, retention, expansion, and recruitment of businesses and jobs that will enhance the economy of the Port District.

PORT COMMISSION MEETING
WEDNESDAY, JANUARY 10, 2024, 7:00 P.M.
WASCO COUNTY WATER & SOIL CONSERVATION DISTRICT

AGENDA

- A. CALL TO ORDER
- B. ROLL CALL Executive Assistant Toepke
- C. PLEDGE OF ALLEGIANCE
- D. AGENDA CORRECTIONS OR ADDITIONS Executive Director Klaas
- E. PUBLIC COMMENT OR QUESTION 3-minute limit per person per subject.
*The Commission does not respond to nor discuss issues raised during public comment.
- F. COMMUNITY PARTNER UPDATE Scott Baker, Executive Director, Northern Wasco County Parks & Recreation District
- G. ACTION ITEMS
 - 1. December 6, 2023, Regular Session Meeting Minutes
 - 2. December 2023 Financial Reports Commissioner Coburn
- H. REPORTS
 - 1. Director's Report Executive Director Klaas
 - 2. The Dalles Marina, LLC, Q2/FY 2023-2024 Concessionaire Report Owner/Operator Macnab
 - 3. The Dalles Community Outreach Team Commissioner Weast
 - 4. Columbia Gateway Urban Renewal Agency Board Commissioner Coburn
 - 5. Wasco County Economic Development Commission Executive Assistant Toepke
 - 6. Dufur Commissioner Wallace
- I. DISCUSSION ITEMS
 - 1. [2024 SDAO Annual Conference Agenda](#)
 - 2. [Strategic Business Plan Update 2023-2027](#)
 - o [2023-2024 Work Plan](#)
 - 3. Port Commission Monthly Meeting: Time
- J. UPCOMING MEETINGS/EVENTS
 - January 12, 2024: KODL Radio
 - January 15, 2024: Office Closed, Martin Luther King Jr. Day
 - January 19, 2024: Port Commission Special Meeting: Annual Financial Report Year Ended 06-30-2023
 - February 8-11, 2024: 2024 SDAO Annual Conference
 - February 12, 2024: KHR Radio
 - February 21, 2024: Port Commission Meeting
- K. EXECUTIVE SESSION Pursuant to ORS 192.660(2)(e) Real Property Transactions & ORS 192.660(2)(h) Conferring with Legal Counsel regarding litigation *Media representatives are instructed not to report or disclose matters discussed in Executive Session
- L. ACTION REQUIRED FROM EXECUTIVE SESSION
- M. COMMISSION CALL
- N. ADJOURN

PORT OF THE DALLES AGENDA ITEM

MEETING DATE	January 10, 2024
ACTION ITEM G-1.)	December 6, 2023, Regular Session Meeting Minutes
STAFF RECOMMENDATION	Approve <u>December 6, 2023, Regular Session Meeting Minutes</u> as presented

PORT OF THE DALLES COMMISSION
Regular Session Meeting Minutes
Wednesday, December 6, 2023, 6:00 p.m.
Port of The Dalles, The Dalles, Oregon

The Regular Session Meeting of the Port Commissioners was called to order by President Wallace at 6:04 p.m.

ROLL CALL Executive Assistant Toepke

- COMMISSION Robert Wallace, President; Greg Weast, Vice-President; Staci Coburn, Treasurer; John Willer, Secretary
 - ABSENT Mary Hanlon, Assistant Secretary/Treasurer
- STAFF Andrea Klaas, Executive Director; Jennifer Toepke, Executive Assistant/Bookkeeper; Bill Dick, Attorney, Dick, Dick & Corey

PLEDGE OF ALLEGIANCE

AGENDA CORRECTIONS/ADDITIONS *None*

PUBLIC COMMENT OR QUESTION *None*

ACTION ITEMS

1. October 11, 2023, Regular Session Meeting Minutes M/G. Weast S/J. Willer, Motion Approved Unanimously
2. November 8, 2023, Regular Session Meeting Minutes M/G. Weast S/J. Willer, Motion Approved Unanimously
3. October 2023 Financial Reports M/G. Weast S/J. Willer, Motion Approved Unanimously
4. November 2023 Financial Reports M/G. Weast S/J. Willer, Motion Approved Unanimously
5. *Strategic Business Plan Update 2023-2027 M/G. Weast S/S. Coburn, Motion Approved Unanimously *To discuss further in January.

REPORTS

1. Director's Report Executive Director Klaas *Stands as included in meeting packet, plus an additional highlight that Bookkeeper Toepke did an excellent job on the audit, and that RTO & Company will present the Port's financial statements from the audit in January 2024. Additionally, the 2024 Annual SDAO Conference will be discussed.*

UPCOMING MEETINGS/EVENTS *Stands as presented.*

COMMISSION CALL *None*

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE PORT COMMISSION, the meeting adjourned at 6:12 p.m.

PORT OF THE DALLES:

ATTEST:

Robert Wallace, President
Board of Commissioners

John Willer, Secretary
Board of Commissioners

DATE APPROVED: January 10, 2024

Prepared by: Executive Assistant Toepke

PORT OF THE DALLES AGENDA ITEM

MEETING DATE January 10, 2024

ACTION ITEM G-2.) December 2023 Financial Reports

STAFF RECOMMENDATION Approve December 2023 Financial Reports as presented

Notable

- Savings
 - The Oregon State Treasury Short Term Fund (OSTF) Rate yielded 5.00%
- Uncommon Fund Activity
 - General Fund
 - ❖ Income
 - Oregon State Marine Board Maintenance Assistance Grant for July 1, 2021-June 30, 2023: \$18,418.50
 - ❖ Expense
 - Second progress payment for Audit FY 2022-2023: \$6,000.00
 - Oregon Department of Environmental Quality Permit for Port property: \$1,527.76
 - Water extraction and restoration of flooded basement: \$5,350.00
 - Installation of new sump pump in basement: \$590.75
 - Port Development Fund
 - ❖ Income
 - Port property easement payment: \$35,000.00

Cash Basis

 PORT OF THE DALLES
 Balance Sheet by Class
 As of December 31, 2023

	<u>General Fund</u>	<u>Marina Fund</u>	<u>Port Development Fund</u>	<u>Unclassified</u>	<u>TOTAL</u>
ASSETS					
Current Assets					
Checking/Savings					
CSB Checking					
General Checking	4,899.80	0.00	0.00	0.00	4,899.80
Total CSB Checking	<u>4,899.80</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>4,899.80</u>
FIB Checking					
General Fund	-4,117.96	0.00	0.00	0.00	-4,117.96
Marina Fund	0.00	3,103.13	0.00	0.00	3,103.13
Port Development Fund	0.00	0.00	4,520.11	0.00	4,520.11
Total FIB Checking	<u>-4,117.96</u>	<u>3,103.13</u>	<u>4,520.11</u>	<u>0.00</u>	<u>3,505.28</u>
FIB Money Market					
Port Development Fund	0.00	0.00	34,872.48	0.00	34,872.48
Total FIB Money Market	<u>0.00</u>	<u>0.00</u>	<u>34,872.48</u>	<u>0.00</u>	<u>34,872.48</u>
LGIP					
General	1,696,585.45	0.00	0.00	0.00	1,696,585.45
Marina	0.00	279,957.12	0.00	0.00	279,957.12
Port Development	0.00	0.00	3,907,464.59	0.00	3,907,464.59
Total LGIP	<u>1,696,585.45</u>	<u>279,957.12</u>	<u>3,907,464.59</u>	<u>0.00</u>	<u>5,884,007.16</u>
Petty Cash	66.28	28.48	55.24	0.00	150.00
Total Checking/Savings	<u>1,697,433.57</u>	<u>283,088.73</u>	<u>3,946,912.42</u>	<u>0.00</u>	<u>5,927,434.72</u>
Total Current Assets	<u>1,697,433.57</u>	<u>283,088.73</u>	<u>3,946,912.42</u>	<u>0.00</u>	<u>5,927,434.72</u>
TOTAL ASSETS	<u>1,697,433.57</u>	<u>283,088.73</u>	<u>3,946,912.42</u>	<u>0.00</u>	<u>5,927,434.72</u>
LIABILITIES & EQUITY					
Liabilities					
Current Liabilities					
Credit Cards					
Mastercard-2556	1,397.75	0.00	-704.00	0.00	693.75
Total Credit Cards	<u>1,397.75</u>	<u>0.00</u>	<u>-704.00</u>	<u>0.00</u>	<u>693.75</u>
Other Current Liabilities					
Payroll Liabilities	367.13	0.00	0.00	0.00	367.13
Total Other Current Liabilities	<u>367.13</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>367.13</u>
Total Current Liabilities	<u>1,764.88</u>	<u>0.00</u>	<u>-704.00</u>	<u>0.00</u>	<u>1,060.88</u>
Total Liabilities	<u>1,764.88</u>	<u>0.00</u>	<u>-704.00</u>	<u>0.00</u>	<u>1,060.88</u>

Cash Basis

PORT OF THE DALLES

Balance Sheet by Class

As of December 31, 2023

	General Fund	Marina Fund	Port Development Fund	Unclassified	TOTAL
Equity					
Unrestricted Net Assets	1,385,010.15	254,837.72	3,832,821.27	0.00	5,472,669.14
Net Income	310,658.54	28,251.01	114,795.15	0.00	453,704.70
Total Equity	<u>1,695,668.69</u>	<u>283,088.73</u>	<u>3,947,616.42</u>	<u>0.00</u>	<u>5,926,373.84</u>
TOTAL LIABILITIES & EQUITY	<u><u>1,697,433.57</u></u>	<u><u>283,088.73</u></u>	<u><u>3,946,912.42</u></u>	<u><u>0.00</u></u>	<u><u>5,927,434.72</u></u>

PORT OF THE DALLES
Profit & Loss Budget vs. Actual-GENERAL FUND
 July through December 2023

	<u>Jul - Dec 23</u>	<u>Budget</u>	<u>% of Budget</u>
Ordinary Income/Expense			
Income			
Beginning Fund Balance	0.00	1,096,994.00	0.0%
Interest from Earnings	34,695.95	32,910.00	105.43%
Other Resources			
Grants	18,418.50	4,000,000.00	0.46%
Launch Ramp & Transient Moorage	750.00	3,000.00	25.0%
Leased Land & Facilities	40,550.00	60,000.00	67.58%
Loan Repayments			
Marina Fund	0.00	84,466.00	0.0%
Total Loan Repayments	0.00	84,466.00	0.0%
Other Income	522.83	15,000.00	3.49%
Total Other Resources	60,241.33	4,162,466.00	1.45%
Previously Levied Taxes	12,876.85	5,000.00	257.54%
Property Taxes	429,882.85	430,251.00	99.91%
Transfer from Other Funds			
Port Development Fund	0.00	200,000.00	0.0%
Transfer from Other Funds - Other	0.00	808,068.00	0.0%
Total Transfer from Other Funds	0.00	1,008,068.00	0.0%
Total Income	<u>537,696.98</u>	<u>6,735,689.00</u>	<u>7.98%</u>
Gross Profit	537,696.98	6,735,689.00	7.98%
Expense			
Capital Outlay	5,377.03	4,050,000.00	0.13%
Material & Services	81,869.75	296,000.00	27.66%
Personal Services	139,791.66	400,000.00	34.95%
Transfers & Contingency	0.00	1,400,000.00	0.0%
Total Expense	<u>227,038.44</u>	<u>6,146,000.00</u>	<u>3.69%</u>
Net Ordinary Income	<u>310,658.54</u>	<u>589,689.00</u>	<u>52.68%</u>
Net Income	<u><u>310,658.54</u></u>	<u><u>589,689.00</u></u>	<u><u>52.68%</u></u>

PORT OF THE DALLES
Profit & Loss Budget vs. Actual-MARINA FUND
 July through December 2023

	<u>Jul - Dec 23</u>	<u>Budget</u>	<u>% of Budget</u>
Ordinary Income/Expense			
Income			
Beginning Fund Balance	0.00	337,157.00	0.0%
Interest from Earnings	6,423.17	10,115.00	63.5%
Other Resources			
Fire Emergency	<u>22,608.59</u>	<u>1,500,000.00</u>	<u>1.51%</u>
Total Other Resources	<u>22,608.59</u>	<u>1,500,000.00</u>	<u>1.51%</u>
Total Income	<u>29,031.76</u>	<u>1,847,272.00</u>	<u>1.57%</u>
Gross Profit	29,031.76	1,847,272.00	1.57%
Expense			
Capital Outlay	780.75	900,000.00	0.09%
Debt Service	0.00	84,466.00	0.0%
Transfers & Contingency	<u>0.00</u>	<u>808,068.00</u>	<u>0.0%</u>
Total Expense	<u>780.75</u>	<u>1,792,534.00</u>	<u>0.04%</u>
Net Ordinary Income	<u>28,251.01</u>	<u>54,738.00</u>	<u>51.61%</u>
Net Income	<u><u>28,251.01</u></u>	<u><u>54,738.00</u></u>	<u><u>51.61%</u></u>

Profit & Loss Budget vs. Actual-PORT DEVELOPMENT FUND

July through December 2023

	<u>Jul - Dec 23</u>	<u>Budget</u>	<u>% of Budget</u>
Ordinary Income/Expense			
Income			
Beginning Fund Balance	0.00	2,089,343.00	0.0%
Interest from Earnings	89,849.41	62,680.00	143.35%
Other Resources			
Grants	0.00	4,000,000.00	0.0%
Land Sales & Contract Interest			
V&G			
Interest	1,830.02		
Principal	2,729.98		
Total V&G	4,560.00		
Land Sales & Contract Interest - Other	35,000.00	2,500,000.00	1.4%
Total Land Sales & Contract Interest	39,560.00	2,500,000.00	1.58%
Loan Repayments			
CGCC	0.00	464,014.00	0.0%
City of Dufur	0.00	42,225.00	0.0%
Total Loan Repayments	0.00	506,239.00	0.0%
Other Income	1,242.83	4,000,000.00	0.03%
Total Other Resources	40,802.83	11,006,239.00	0.37%
Transfer from Other Funds			
General Fund	0.00	1,300,000.00	0.0%
Total Transfer from Other Funds	0.00	1,300,000.00	0.0%
Total Income	130,652.24	14,458,262.00	0.9%
Gross Profit	130,652.24	14,458,262.00	0.9%
Expense			
Capital Outlay	0.00	9,000,000.00	0.0%
Material & Services	15,857.09	405,000.00	3.92%
Special Payments	0.00	2,000,000.00	0.0%
Transfers & Contingency	0.00	400,000.00	0.0%
Total Expense	15,857.09	11,805,000.00	0.13%
Net Ordinary Income	114,795.15	2,653,262.00	4.33%
Net Income	114,795.15	2,653,262.00	4.33%

MEETING DATE January 10, 2024

REPORTS ITEM H-1.) Director's Report Executive Director Klaas

Projects

- NEW State Lead: Hyperscale Data Center Campus: 50 buildable acres; 25 MW power scalable to 300+MW; 450,000 gallons of water per day (peak)
- NEW Project Illuminate: A solar cell manufacturer expanding in the US and wants to be fully operational by 2026. 50 acres to 90+ acres of land; 1,200 jobs; 1.4 million square feet floor area; \$800 million investment
- Climate GM is interested in leasing additional Port lots for parking/storage; lease rates have been sent to them.
- A cruise ship company contacted the Port asking about winter moorage locations. The Port does not have anything available for this winter, but Port Staff are researching options for next year. One possibility is the Mt. Fir Lumber barge berthing space at the end of River Trail Way. Port Staff are gathering information on specific needs from the cruise ship company, specifically parking requirements, electrical, water and sewer needs. Once staff has more specifics a determination can be made if this site might work.

Office

- Executive Director Klaas did the monthly radio talk shows on KHR and KODL.
- Port Staff continue the process of moving the Port's insurance from High Street (formally Stratton) to The Partners Group, LLC. Based on recommendations from the Partner's Group, the Port will be making some adjustments this year. An example of this is that the Port will be increasing the property deductible from \$250.00 per occurrence to \$1000.00 per occurrence, which will lower the property premium. These savings will then be used to purchase crime insurance as a new line of coverage.
- Executive Director Klaas met with Executive Director Kline of Northern Wasco County People's Utility District (PUD) to discuss current and future projects.
- On the weekend of December 10, 2023, the Port Administrative Office basement flooded due to a failure of the sump pump. Port Staff has been working with local contractors on this and the Port has also submitted an insurance claim for water intrusion recovery. A new sump pump has been installed, carpet removed, and damaged sheetrock removed. The boardroom will be repainted, and a new floor installed. Port Staff are researching what might be needed to have a drain field/passive water control installed to prevent this from happening again. According to the Port's retired maintenance person, there were drain tiles under and around the office and a drain field located where Klindt Drive is now, but that was all removed when this area was graded, and Klindt Drive installed.
- Executive Director Klaas applied to the Mark O. Hatfield School of Government, Building Cyber Resilience Program and was selected for the next cohort which begins January 19. There is no direct cost to the Port, staff time requirement is 1.5 hours per week for 12 weeks.
 - About the Program:
 - Understanding cybersecurity risk is an essential first step in protecting data and ensuring organizational resiliency in the event of a cyber-attack or natural disaster. Cyber risks can take the form of technical or physical threats or vulnerabilities, regulatory compliance requirements, financial loss, data loss, or reputational harm.
 - This program is highly collaborative and will use a cohort-based case study approach to learn about common cyber risks; how to identify, assess, and communicate cyber risks; and how to conduct the first step in mitigating threats through a risk assessment. A deep technical background is not required, and technical concepts will be explained through the course of 12 weekly sessions. Program coaches will work with participants to create a unique shared learning experience that is approachable for non-technical practitioners.
 - What you will learn:
 - How to create and implement a comprehensive cyber risk assessment program for your organization
 - How to leverage internal and external collaboration to enhance risk management
 - The impact of cyber threats and vulnerabilities on organizational resiliency
 - How issues such as privacy, legal and regulatory frameworks and compliance, social and geopolitical impacts, national security and evolving technologies can impact an organization's cyber risk and security posture
 - The importance of identifying and mitigating risks from vendors and other external partners
 - How to enhance your organization's eligibility in acquiring federal grants for cybersecurity

- Port Staff met virtually with the United States Department of Agriculture Rural Development to discuss two grant opportunities. The key points for the grants are assisting rural communities recover economically through improved infrastructure, reducing climate pollution and increasing resilience, ensuring rural communities have equitable access to Rural Development programs. The two that Port Staff will be looking at in more detail are: Enterprise Funds, which can be used for land acquisition, and Opportunity Funds which may fit into a project in Dufur.
- Tree cutting follow up: Anthony Morelli has a status check hearing with the court scheduled for February 5, 2024, at 10:30 a.m. No restitution payments have been received by the court as of January 4, 2024.
- As mentioned in December's report, the FYE June 30, 2023, audit work is complete, there is no management comment letter this year, we had a clean audit. Amanda Taskey, CPA, RTO & Company, will be presenting the Port's financial statements at a Special Port Commission Meeting on January 19, 2023, at 1:00 p.m.
- Following this staff report please find an article related to recreational immunity. The State of Oregon, and Oregon Counties, Cities and Special Districts, are meeting to discuss how to best fix this issue. Oregon prides itself on providing a wide variety of free access to its citizens and visitors to enjoy the outdoors, the effect of this suit is that many places may be closed off.
- After the recreational immunity article, you'll find a letter from the Oregon Department of Agriculture (ODA) Insect and Pest Prevention and Management Program concerning their survey for invasive insect pests; each year they set traps on Port property for said survey.

The Dalles Marina

- Port Staff are meeting with Port legal counsel to discuss the most practical way to extend the services of The Dalles Marina, LLC for one year. This time will be used by Port Commissioners to develop a marina strategic plan, review best practices for marina operations and maintenance, and then incorporate these into a management document. Port Staff plan to present the extended services document to Port Commissioners at their February meeting for discussion. The final version will then go to The Dalles Marina, LLC for their review. Leases are typically issued in April/May and need to be signed and paid by June 30th for the upcoming Fiscal Year 2024-2025 (leases run from July 1 - June 30th).
- Port Staff continues to provide information to the fire subrogation attorney when requested. Once the Port receives notice that they are done with their work, the Port will again apply to the Oil Spill Liability Trust Fund (OSLTF) to recover any additional funds available.

Business Oregon Rural Opportunity Initiative (ROI) Grant

- The Port of The Dalles was named as a program partner, along with Wasco County Soil and Water Conservation District, in a Rural Opportunity Initiative (ROI) grant application. The focus of the grant is "Bringing Industry and Agriculture Together." Award notices will be going out mid-December (*did not receive yet*).

The Dalles Community Outreach Team (COT)

- There was no meeting in December.
- The Spring trip dates to Washington, D.C. are March 4-7, 2024.
 - The City of The Dalles will be producing the project book and the Port will be scheduling appointments.

https://www.dailyastorian.com/news/local/recreational-immunity-ruling-poses-questions-for-oregon-trail-access/article_0dc360b0-9ead-11ee-b6ac-eb6ca1b4a446.html

Recreational immunity ruling poses questions for Oregon trail access

Some local governments have chosen to close trails

By Olivia Palmer, The Astorian

Dec 22, 2023



An Oregon Court of Appeals ruling has raised doubts about recreational immunity for local governments.

Shanna Madison/The Astorian

For Dan Haag, outdoor recreation is in Oregon’s DNA.

“It’s huge,” he said. “Hiking, skiing, beachcombing — you name it. There’s 10 million things you can do in the outdoors in Oregon, on the coast and everywhere else in the state.”

But a recent court ruling could impact the future of some of those activities.

Haag is the trails, outdoor recreation and accessibility director at Tillamook Coast Visitors Association. He's also part of a growing conversation around changes to recreational immunity — an Oregon law that limits the liability of landowners who offer their land for public recreational use.

If a hiker falls on a county trail, the county can use recreational immunity as a defense in court. The statute isn't bulletproof — it won't shield a jurisdiction against gross negligence, for example — but generally speaking, it's stopped liability lawsuits at the door.

Now, that's being challenged.

The case in question, [Fields v. City of Newport](#), revolves around a plaintiff who slipped and fell on a wooden bridge on Newport's Ocean to Bay Trail while headed back from the beach. The Lincoln County Circuit Court initially dismissed the plaintiff's personal injury claim and granted summary judgment in favor of the city based on its recreational immunity defense. When brought before the Oregon Court of Appeals, however, the case was reversed and remanded.

The decision in July has stirred up discussion among many local governments, including Clatsop County, about what comes next.

CIS Oregon, which insures many of Oregon's counties and cities, has described the ruling as "effectively ending recreational immunity for improved trails" and

has issued a statement recommending local governments [close certain trails to avoid lawsuits](#). So far, a small handful of them have.

The case highlighted two main issues: whether the plaintiff was using the trail for recreational purposes, and whether the trail itself was protected under recreational immunity.

Oregon's recreational immunity law provides protections for all recreational land, including but not limited to land adjacent to water or the ocean shore. It also includes provisions for unimproved trails used to get to those lands. The plaintiff argued that her primary purpose for using the trail was not recreation, and that the trail she sustained injuries on was improved and thus was not protected by recreational immunity.

The appeals court agreed. Whether such a trail could be protected as land adjacent to the shore, they added, would depend on whether it was being used for recreational purposes. The ruling essentially shifts the focus onto the intent of the trail user, opening a door for more lawsuits to be reviewed on a case-by-case basis.

"I don't think that anyone contemplated that the intent of the user would in fact rise above the intent of the landowner in providing that for recreation," said Cindy Robert, a contract lobbyist with the Oregon Recreation & Park Association.

Robert has been leading efforts to develop a legislative amendment with state Sen. Floyd Prozanski, a Eugene Democrat, to restore elements of recreational immunity. The Association of Oregon Counties, the League of Oregon Cities and other organizations are also involved in the process.

‘Risk analysis’

Several local governments are beginning to engage in conversations about risk assessment in the wake of the court ruling and subsequent response from CIS.

Although the state hasn’t seen mass closures, some jurisdictions have chosen to close select trails.

Waldport, for example, has closed the Waziyata Trail due to existing hazards and recreational immunity concerns. Rockaway Beach and Manzanita are also considering temporarily closing some trails.

In Oceanside, Tillamook County has closed the Tire and Short Beach trails.

Chris Laity, the Tillamook County public works director, said the two trails were already in need of repairs, but the recent recommendation from CIS pushed their status from “proceed with caution” to “closed.” The county has no plans to close additional trails at this point, but that could change.

“Fortunately, our commissioners, or our risk assessment — they’ve only focused on those two (trails). But future lawsuits that could arise might take that risk analysis and change it to ‘let’s close every single thing down,’” he said.

Other jurisdictions are taking a similar approach.

Chris Havel, deputy director of government relations and policy at the Oregon Parks and Recreation Department, said the state is watching to see how the Fields case plays out now that it has been remanded back to Circuit Court. Although the Parks and Recreation Department closes some trails as necessary when hazards arise, it doesn't have any plans for closures based on recreational immunity concerns.

"We're alert, but we're not taking any hasty steps right now, and each jurisdiction is coming to its own conclusion on that," Havel said.

Locally, Astoria and Clatsop County are reviewing properties that could be impacted by the ruling and assessing whether changes need to be made. County staff plan to present more information to the county Board of Commissioners at a January work session.

County Manager Don Bohn said he interprets the court ruling as being relatively narrow. Since many of the county's improved trails exist on recreational lands, rather than as connectors to recreational lands, he anticipates they'll remain unaffected. Nevertheless, the county is taking time to work through next steps.

"You have to look at all the specific properties and then evaluate it: is it a trail that just gets you to a recreational property? Or is it a trail on a recreational property? So we're gonna go through that exercise," Bohn said.

‘Extra liability’

While the Fields case has prompted some initial trail closures, it also raises a broader question about access to outdoor recreation.

Scott Winkels, a lobbyist for the League of Oregon Cities who’s involved in legislative amendment efforts, said insuring cities is a tall task. A key reason for recreational immunity is to encourage landowners to make their land available for public use — but if more trails are at risk of liability in a lawsuit, the incentive to do so declines dramatically. Even if a jurisdiction prevails in court, litigation costs pose a significant financial hurdle.

“The reality is that, in a state where we have constricted revenues on local governments and they’re having to decide on services, where would they prioritize carrying extra liability for recreation if they’re still trying to keep police and fire departments fully staffed?” Winkels said.

As conversations continue, Havel said he sees the issue as a matter of balancing risk and reward.

“We love the way people feel and the experience they have when they come to a park, and that’s why we do what we do. And we don’t want to just change that for legal reasons,” he said.

Robert, of the Oregon Recreation & Park Association, said that going into the short session in February, the focus is to pursue a technical fix, or a “Band-Aid,” for some of the concerns surrounding recreational

immunity. In the longer term, those efforts could translate into broader conversations about preserving recreational immunity.

To Robert, developing a legislative amendment isn't about expanding recreational immunity. It's about clarifying the original intent of the law — to keep parks and trails open for public enjoyment.

“I think if we keep going back to that core reason for recreational immunity, we'll come up with great solutions,” she said.



**OREGON
DEPARTMENT OF
AGRICULTURE**

Protect. Promote. Prosper.

RECEIVED

DEC 04 2023

Insect Pest Prevention and Management
635 Capitol St NE, Salem, OR 97301-2532
503.986.4636 | Oregon.gov/ODA

November 27, 2023

USDA ATTN: Jennifer Toepke
3636 Klindt Dr,
The Dalles, OR 97058

Dear Jennifer,

Each summer the Oregon Department of Agriculture (ODA) Insect Pest Prevention and Management Program places survey traps across Oregon for invasive insect pests. Insect trapping is our best method for detecting new introductions of pest species when the population is still small. We appreciate your participation in our wood boring beetle and hornet survey. Thank you for allowing us to place traps on your property this past summer. Together we can help to keep invasive insect pests from establishing in Oregon.

The target species included in this survey were multiple woodboring beetle species and the northern giant hornet (also called the Asian giant hornet). Thank you for allowing us to place traps for some or all of these species on your property this past summer. Surveys have concluded for the 2023 season and all traps have been retrieved from the field.

Any specimens collected from this survey are still being processed and identified. Our entomology laboratory receives thousands of samples, including samples from outside of Oregon. Although it can take several months to complete this process for this survey, we will contact you if we find any target pests mentioned above on your property.

Our other annual invasive pest surveys will start again next spring. If you have any questions, please feel free to contact us or visit our website at <https://oda.direct/IPPM> or contact us at 503-986-4636 or 1-800-525-0137

Thank you for supporting our survey programs!

Mark Cody Holthouse, PhD, Manager

Oregon Department of Agriculture – Insect Pest Prevention & Management Program

635 Capitol St NE, Salem, OR 97301-2532

CELL: 503.910.6615 | WEB: Oregon.gov/ODA

PORT OF THE DALLES AGENDA ITEM

MEETING DATE

January 10, 2024

REPORTS ITEM H-2.)

The Dalles Marina, LLC, Q2/FY 2023-2024 Concessionaire Report Owner/Operator Macnab

Meeting Date: **January 10, 2024**

Subject: **Marina Report for October-December 2024**

Items completed this quarter:

- Winter Landscaping completed
- Parking Lot Blown
- Repair drainage from flooding in the parking lot that washed out landscaping.
- Private side of Marina Fire Extinguishers tested. 2 new ones replaced
- Had two evaluations on boathouses at the Marina for stability.
- Estimate to replace D finger
- Worked with Yacht Club on issues
- Insurance Renewal for the 2024 year.

Projects in Progress:

- Continue to work with tenants having boathouse numbers on their boathouses
- Waiting for lease renewal for the Lock system with a security app instead of locks.
- Future of leasing the Marina.
- Working on getting more cameras for water view to try to help with the theft issues that we currently have had in the marina due to the camps on the property next to the marina
- We are beginning to winterize for the season.
- Working with Marina tenants to make sure they have fire extinguishers on their boathouses.
- Working with Fire District in getting grants for services at the Marina
- Currently waiting for diver to come out and level C finger dock
- Ordered new life rings
- Working with Fire District on fire boat

What's going on at the Marina:

- B finger has still been super busy with new construction. Everything looks amazing.
- B9 has made a lot of progress. Walls and roof has been framed
- A14 is 100% completed
- B1 and B10 has been repaired post fire
- C17 boathouse is about 70% complete. I have sent notice out to stop building until they can get more floats under it
- B22 has been identified that new stringers and floor need to be installed to be able to sell and stay in the Marina. That has been contracted out and is partially Completed
- To date there are two boathouses for sale at the Marina.

The Dalles Marina
Profit & Loss
 July through December 2023

	Jul - Dec 23
Ordinary Income/Expense	
Income	
Moorage Fee	57,564.51
Rental Income	2,850.00
Total Income	60,414.51
Expense	
Accounting Fees	725.00
Automobile Expense	386.49
Background Checks	23.00
Bank Service Charge	4.00
Contracted Services	
Algae	1,500.00
Total Contracted Services	1,500.00
Credit Card Fee	9,410.40
Insurance Expense	
Liability	1,078.40
Insurance Expense - Other	2,943.74
Total Insurance Expense	4,022.14
Landscaping and Groundskeeping	3,320.00
Maintenance and Supplies	5,543.19
Office Supplies	300.00
Professional Fees	
legal Fees	11,484.00
Total Professional Fees	11,484.00
Repairs and Maintenance	2,437.13
Small Tools and Equipment	254.97
Taxes	8,172.00
Utilities	
Electricity	1,534.79
Garbage	2,385.57
Internet	660.00
Water	6,209.14
Total Utilities	10,789.50
Total Expense	58,371.82
Net Ordinary Income	2,042.69
Other Income/Expense	
Other Income	
Interest Income	52.07
Total Other Income	52.07
Net Other Income	52.07
Net Income	2,094.76

MEETING DATE January 10, 2024

REPORTS ITEM H-5.) Wasco County Economic Development Commission (EDC) Executive Assistant Toepke

- EDC Open Position #3
 - The EDC had one open position, because EDC Commissioner Amy McNamee, Position 3, South Wasco County, moved out of the county. One interest form was received from Kate Willis. The EDC unanimously approved recommending an appointment of Kate Willis to Position 3, South Wasco County. The EDC's recommendation will go before the Wasco County Board of Commissioners at their January meeting.
- 2024 Community Enhancement Project Rankings
 - At December 2023's meeting, the EDC Commission approved Staff's recommended top ten project list for Wasco County, with one change: Chenoweth Affordable Housing Development (Columbia Cascade Housing Corporation, Northwest Housing Alternatives) was bumped from the number ten position, and the Joint Use Facility-Antelope School Community Center (City of Antelope) was put in its place.
 1. Aviation Maintenance Training Hangar (CGCC, City of The Dalles, Klickitat County)
 2. Water System Improvements (City of Maupin)
 3. Mosier Center (City of Mosier)
 4. Water System Improvements (Pine Grove Water District)
 5. Dufur School-Based Health Center (Dufur School District #9)
 6. Marina Dock Replacement-Planning Design (Port of The Dalles): The Port is seeking funding in 2024 to support planning and design work for their project to reconfigure and update the launch ramp and restroom facilities at the marina. This project will have impacts on tourism and will significantly improve emergency response capacity for river rescue needs. The Oregon State Marine Board is providing in-kind staff time to support engineering and design. The Port will be seeking \$200,000 for additional pre-construction activities such as permitting, hydrologic evaluations, and archaeological assessments. Construction of the project is outlined in a separate project on The Dalles area list.
 7. Columbia Gorge Early Learning Center (Columbia Gorge Education Service District)
 8. Fifteenmile Managed Underground Water Storage (Wasco County Soil and Water Conservation District)
 9. Wastewater Facilities Improvement (City of Maupin)
 10. Joint Use Facility-Antelope School Community Center (City of Antelope)
 - This month or in February, EDC Staff will bring the above ranking recommendations to the Wasco County Board of Commissioners for their input and acknowledgement. Staff will incorporate the final list into the EDC's Strategic Action Plan along with the workplan updates for the coming year.
 - In March, EDC Staff sends top priorities to Mid-Columbia Economic Development District (MCEDD) for discussion during the annual update of the Comprehensive Economic Development Strategy (CEDS), and eventual inclusion in the adopted document.
 - When the final top ten list is acknowledged by the Wasco County Board of Commissioners, Executive Assistant Toepke will provide you with the list, in addition to the full list of all project descriptions that were submitted by area in the county.
- Notable Commissioner Updates
 - City of The Dalles: Although located in Washington, Columbia Gorge Regional Airport (CGRA) available properties can now be advertised on the Oregon Prospector, thanks to the work of Business Oregon's Regional Services Business Manager, Michael Held. [Columbia Gorge Regional Airport-Oregon Prospector](#)
 - The Dalles Area Chamber of Commerce held its first ever Latino businesses training through Blossomly, with the help of a non-profit training grant from Google. The turnout was impressive (75 people!) and additionally successful at establishing the high priority needs for future training.
 - City of Antelope: The City will see its first ever lodging, with the help of funds from Travel Oregon and Cycle Oregon. Additionally, they are applying to receive the 'Dark Sky' rating in Oregon.

PORT OF THE DALLES AGENDA ITEM

MEETING DATE January 10, 2024

REPORTS ITEM I-2.) Strategic Business Plan Update 2023-2027

- 2023-2024 Work Plan

[Strategic Business Plan Update 2023-2027](#)
[2023-2024 Work Plan](#)

2023-2024 Work Plan

High Priority  -----> Low Priority 

12/29/23		
1	Develop and Implement Marketing Plan for the Port	Notes/Comments
	1.1 Develop marketing partnerships	Airport
★★	1.2 Invite area economic development partners to The Dalles	On-going: include State and Federal legislators
★★	1.3 Continue to update all marketing material	On-going: website; inquiry response material; informational cut sheets and property information, newsletter, Outreach team book
★	1.4 Develop a presentation; schedule service club talks to keep community informed about Port	On-going: Lions, ORDEQ, Regional Solutions, Infrastructure Finance Authority, Kiwanis, Rotary, City of The Dalles, Wasco County, School Board,....
★	1.5 Community Special Districts Day	
★	1.6 Host regional Ports meeting annually	Arlington, Rufus, Klickitat, Hood River, Cascade Locks, Skamania
★★	1.7 Host Wasco County Special Districts brown bag lunch qrtly	Invite district managers. Set aside 1 hour to discuss operations, best practices, collaboration, etc.
2	Business Expansion, Retention and Recruitment	Notes/Comments
★★★★	2.1 Contact all Port area businesses	Call/meet with all businesses to check on business health, work force, anything else. Include Port Commissioners as their schedule permits.
★★★★	2.2 Assist with business expansion, retention	On-going: Partner with Main Street, City of The Dalles, Wasco EDC, Small Business Development Center; WorkSourceOR; Rural ag support
★	2.3 Respond to State Leads	On-going: Respond in a timely manner when appropriate
★	2.4 Evaluate emerging business opportunities for our region	On-going: look at trends and see if there are opportunities
★★★	2.5 CORI partnership with Wasco EDC	Wasco EDC and the Port of The Dalles are partnering with Google and Rural Innovation to work on community wide economic development planning, specifically in the technology sector. www.ruralinnovation.us
3	Acquire employment property that supports the creation, retention, expansion and recruitment of businesses and jobs that will enhance the economy of the Port	Notes/Comments
★★	3.1 Identify potential private sector partners	On-going: Identify building and land owners that the Port could partner with; identify financial partners
★★★★	3.2 Look at purchasing/investing in real estate	Evaluate on a case-by-case basis; Port's investment should be recouped over time. Deal of the month
★★★	3.3 Explore opportunities in Dufur	Dufur has updated their strategic plan and is working on a waste water facilities update plan; Map industrial land and evaluate opportunities
★★★	3.4 Support UGB expansion through CRGC Management Plan Update process	At this point, completed due to the adoption of the current management plan. May transition to another phase.
★★★	3.5 Work with Randy Munsen to move batch plant up to rock pit.	Federal issues-invite Federal legislators/staff for a walking tour to see the problem/solution
★	3.6 County zoning maps with industrial land identified	
★★★★	3.7 Brownfields partnership with City and Wasco EDC	
4	Downtown Involvement	Notes/Comments
★★	4.1 Look for partnership/support opportunities	With City or MCEDD
★★	4.2 Evaluate Electric Vehicle charging options downtown	
5	Port Admin	Notes/Comments
★★	5.1 Update Policies per SDAO recommendations	On-going
★★	5.2 Community Outreach Team Support	Transition from Port to County and MCEDD
★★★	5.3 Update Port Strategic Plan	Apply for PPM funds to cover a portion of the cost.
★★	5.4 Update Employee Handbook to keep current with legislation	Divide up handbook updates to accomplish over multiple years
★★★	5.5 Port emergency preparedness plan	Develop an emergency preparedness plan for Port operations and emergency response.
★★★★	5.6 Complete office building rehab projects	Repaint office - inside.
★★★	5.7 Look for opportunities to leverage Port assets with State and Federal grants	
6	Marina	
★★★★	6.1 Fire recovery	
	6.2 Work with OSMB on funding to update launch ramp	