

WILLAMETTE FALLS LOCKS AUTHORITY

Authority Meeting
March 27, 2024 – 2:00-3:30 PM
Meeting Minutes
(Minutes: Pat Vivian and Sandy Carter)

Authority Board Members Present:

Russ Axelrod [*Geologist, former West Linn Mayor*]
Mary Baumgardner [*President, West Linn City Council*]
Sandy Carter [*Advocates for Willamette Falls Heritage*]
Robert Kentta [*Confederated Tribes of Siletz*]
Christine Lewis [*Metro Council*]
Denyse McGriff [*Mayor, Oregon City*]
Chris Mercier [*Vice Chair, Confederated Tribes of Grande Ronde*]
David Penilton [*Clackamas County Tourism/MERC Commission*]

Excused absences:

Mini Sharma Ogle [*PGE*]
Tootie Smith [*Chair, Clackamas County Board of Commissioners*]

Legislative ex officio members present:

Rep. James Hieb [*House District 51*]
Rep. Jules Walters [*House District 37*]

Staff:

Reed Wagner [*WFLA Executive Director*]
Georgia Langer [*Metro*]

Others Present:

Clark Balfour
Martha Pellegrino
Doug Riggs [*City of West Linn*]
Tracy Schwartz [*USACE*]
Lt. Robert Powell [*retired Coast Guard/member of the public*]
McKenzie Worthington [*SD 19 – Pres. Wagner*]

1. Welcome, Minutes Approval and Accounting Update

1a. Minutes Approval. Chair Christine Lewis called the meeting to order. Sandy Carter presented her edits to the February 28 minutes.

ACTION: Russ Axelrod moved the minutes be approved with these changes. Seconded by Mary Baumgardner. Approval was unanimous.

The meeting was joined by a member of the public, Lt. Robert Powell, a retired Coast Guard officer, who said he has a long-term interest in seeing the Locks restoration succeed.

1b. Accounting and Treasurer's Update. Treasurer Denyse McGriff reported that budget vs. actual figures for July 23, 2023 to January 24, 2024 have been submitted by Marina and Co., the accounting firm contracted to handle the Authority's book keeping. Based on a near-term review, expenses are on track.

Russ Axelrod pointed out the third column is characterized as "over budget" when it's really relative to the budget. He expressed concern that characterizing it as "over budget" could be implied to mean excessive; Denyse agreed. Reed said he would consult the accounting firm about using a different term.

ACTION: Sandy Carter moved and David Penilton seconded a motion to approve the Treasurer's report, which was unanimously approved.

2. Director's Report

2a. Real Estate Transfer. The lead USACE person handling the real estate transfer contacted him recently. She will work with the Authority's legal representative to compile language for the Board to review over the next several months in preparation for transfer of ownership. Tracy Schwartz, USACE historic properties expert, said she's looking forward to working with the Board on this.

2b. Financial Policies and Procedures Manual. Reed noted that last month the Board reviewed chapters 1, 4 and 5, but financial policies are still being approved in individual chapters. Chapters 1 and 4 of the final procurement manual were discussed by Board members today. Russ requested that the memo meeting date be changed from April to February, and that "TSCC" be defined in the footer.

ACTION: With that change, Denyse moved and Russ seconded a motion to adopt Chapters 1 and 4 as final. Approval was unanimous.

2c. Accounting and Auditing Update. A proposal for performing an audit is in negotiations for this fall. By the April meeting, the Board should know who the auditor will be for the coming year.

Georgia Langer presented a spreadsheet showing the adopted budget for the 2024-25 budget year. Reed discussed multi-year revenues.

Members of the board expressed a strong sense of urgency about getting the Locks up and running again, even with no current drop-dead completion dates. The Corps has a rough timeline for its process.

The board discussed the need for a small working group and a strategic plan for federal fundraising, soon. Sandy emphasized the urgency to understand and plan to be ready to meet Federal grant cycle deadlines. Mary Baumgardner and Russ Axelrod volunteered to work with Sandy on looking at possible federal grant availability and timelines so that no opportunity is missed or delayed.

Partner contributions will be ending at the same time Locks construction begins, with only one approaching legislative session to request possible operational funding. The Authority needs to prioritize its asks of the Legislature and be very clear about what is needed. Reps. Hieb and Walters said they'll collaborate to bring any funding request to the attention of legislators. An upcoming tour of the Locks will be scheduled around new legislators' availability, based on PGE's construction schedule.

2d. Budget Calendar. The Budget Subcommittee meeting in April, which must be open to the public, will be Public Noticed in the region. Reed plans to bring Chapter 5 of the Financial Policies to next month's meeting. Complete financial policies should be done by the end of summer. Sandy asked whether the schedule could be accelerated; Christine suggested trying to review three chapters next month.

2e. Multi Year Budget Outlook. The board suggested the development of a timeline and summary of the overall asks in Locks construction/repairs funding that have been approved by the Legislature. The request of the Legislature will be to fund improvements for operations. The Authority's partners are funding operations, including contracted services.

The board discussed issuing RFPs to engineering firms for repairs. USACE is responsible for seismic repairs in the FERC regulatory zone, the Authority is responsible for seismic repairs north of that area, which Sandy said would definitely run higher than previous estimates, based on the Corps' experiences this winter.

Doug Riggs stated that the initial cost estimate was \$13-15 million. When asked by Ways and Means to scale it back, the Locks received \$7.2 million. At the time, legislators were trying to match federal dollars and understood the Locks would need further funding. The board discussed updating the 7-year-old engineering estimates.

Doug will meet with Reps. Hieb and Walters to discuss funding issues. He expressed confidence that legislators will recognize the project is on track for further funding.

The board discussed exploring whether the Locks would qualify for a lottery bond. Reed and Denyse agreed to work together on a multi-year capital budget that reflects what has transpired from 2017 to 2025. The board discussed preparing a retrospective handout for legislators, given that there's been so much turnover in Salem.

Doug Riggs advocated reminding the Legislature that the Locks are essentially a transportation project, in addition to writing a bill for the Locks alone. Rep. Hieb offered to research options for a direct funding stream, whether via individual bills or inclusion in bills supporting larger efforts such as transportation, resiliency, and emergency management. There was general agreement to pursue multiple approaches.

The filing deadline will probably be the end of September, Doug Riggs said. Reps. Hieb and Walters agreed to work on drafting a bill together. Tracy said USACE would be willing to provide an overview of the work the Corps has done and the associated costs if that would be helpful.

2f. Procurement Manual. In Section 2.8 on solicitation, Russ said, the manual adopted in February 2024 states in boldface type that when we issue RFPs, price is not included as a criterion. Price ought to be part of the evaluation, he said. The Board should be able to consider cost in future decisions. Clarification was offered, involving the category of contracted work. The board discussed architectural and engineering projects in regards to procurement. Reed said he will ask legal counsel about this.

3. Wrap Up and Adjourn

The next WFLA Board meeting will be April 24 in the community room at the Oregon City Public Library.