

RESOLUTION NO. 2022-34

A RESOLUTION TO RETAIN CABLE HUSTON LLP TO PROVIDE LAND USE LEGAL SERVICES FOR PORT WESTWARD REZONING PROCESS.

WHEREAS, the Port of Columbia County ("the Port") acquired land in 2010 and the land use application to rezone this property has been approved by the Columbia County Commission ("the County") and remanded by the Land Use Board of Appeals ("LUBA") on three occasions; and

WHEREAS, the Port previously engaged Beery, Elsner & Hammond, LLP ("BEH") to represent the Port, and

WHEREAS, after the LUBA Remand back to the County in May 2022, BEH informed the Port that BEH would no longer represent the Port and therefore it is necessary to hire legal counsel to replace BEH and represent the Port; and

WHEREAS, Cable Huston LLP has extensive land use and LUBA litigation experience and expertise and is fully aware of the nuances of the case and prepared to take the case over from BEH and represent the Port; and

WHEREAS, the LUBA remand and appeal process will require highly complex and technical land use legal knowledge and experience, including use of numerous experts, now, therefore,

BE IT RESOLVED by the Board of Commissioners of the Port of Columbia County as follows:

The Board directs the Executive Director or his designee to retain Cable Huston LLP at a cost not to exceed \$ 398,493.00, which includes costs to engage experts as necessary, to intervene on behalf of and represent the Port through the LUBA remand and appeal process.

PASSED AND ADOPTED this 14th day of December, 2022, by the following vote:

AYES: 3 NAYS: 1

Port of Columbia County

ABSTAINED: 1

By: Robert Freyzer
President

Attested By:

Wendy Wood
Secretary