



PORT COMMISSION OF THE PORT OF EDMONDS

MINUTES OF REGULAR MEETING

June 26, 2017

COMMISSIONERS PRESENT

David Preston, Vice President
Steve Johnston, Secretary
Jim Orvis

STAFF PRESENT

Bob McChesney, Executive Director
Marla Kempf, Deputy Director
Tina Drennan, Finance Manager

OTHERS PRESENT

Bradford Cattle, Port Attorney
Karin Noyes, Recorder

COMMISSIONERS ABSENT

Fred Gouge, President
Bruce Faires

CALL TO ORDER

Vice President Preston called the regular meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

All those in attendance participated in the Pledge of Allegiance to the American Flag.

CONSENT AGENDA

COMMISSIONER ORVIS MOVED THAT THE CONSENT AGENDA BE APPROVED TO INCLUDE THE FOLLOWING ITEMS:

- A. APPROVAL OF AGENDA**
- B. APPROVAL OF MAY 30, 2017 MEETING MINUTES**
- C. APPROVAL OF PAYMENTS IN THE AMOUNT OF \$902,664.81**
- D. AUTHORIZATION FOR EXECUTIVE DIRECTOR TO WRITE OFF \$5,308.27**
- E. APPROVAL OF EXECUTIVE DIRECTOR CONTRACT AMENDMENT**
- F. APPROVAL OF RESOLUTION NUMBER 17-05, AUTHORIZING SALE OF ABANDONED BOAT**

COMMISSIONER JOHNSTON SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY.

PUBLIC COMMENTS

There were no public comments.

APPROVAL OF HARBOR SQUARE ASPHALT REPAIR CONTRACT NUMBER 2017-270

Mr. McChesney reviewed that the Commission was previously briefed on Harbor Square maintenance issues, including pavement disrepair in several locations throughout the Harbor Square Business Complex. In a walkabout, staff identified several areas for repair and published an invitation to bid. A formal bid invitation was sent to

appropriate Municipal Research and Services Center (MSRC) roster vendors and published in *THE EVERETT HERALD* on June 10th. A pre-bid walkthrough of the project was conducted on June 16th, with three attendees, and staff received and reviewed three qualified bids on June 23rd. The low bidder was Superior Asphalt Maintenance, Inc. for \$32,144.40. As per the proposed contract, work must be completed by September 1st, and staff will work with the contractor to minimize the disruption to tenants during installation.

Mr. McChesney reviewed that the Commission understands that the asphalt needs annual maintenance; and rather than simply filling potholes, the proposed project would repair a larger area. Staff is very encouraged by this new strategy.

Mr. McChesney advised that the bid invitation included an alternate to replace the sidewalk near the second driveway going west on Dayton Avenue (between Harbor Square Buildings 1 and 2). The current sidewalk is constructed of pavers that have been disrupted by tree roots. However, the alternate bid was not favorable, and it is likely the Port will do the work in-house with staff resources after the paving work has been completed.

Mr. McChesney advised that the fiscal impact of the proposed contract is \$32,144.40 plus sales tax of \$3,310.86, for a total cost of \$35,455.27. He advised that the 2017 budget allocates \$40,000 for pavement repair at Harbor Square. He referred to the bid tabulations, which were attached to the Staff Report. He recommended the Commission authorize him to enter into a contract with Superior Asphalt Maintenance, Inc. in the amount described above for the Harbor Square Asphalt Repair 2017 Contract (2017-270).

Commissioner Johnston asked if the proposed contract represents the total pavement repairs that would be done at Harbor Square in 2017, and Mr. McChesney answered affirmatively.

Commissioner Preston asked the cost of the repairs per square foot. Mr. McChesney said he does not have the figure, but he could provide it to Commissioner Preston at a later time. He noted that the project will be a curb-to-curb repair rather than filling potholes, so it will significantly improve the appearance of the parking area.

COMMISSIONER JOHNSTON MOVED THAT THE COMMISSION AUTHORIZE THE EXECUTIVE DIRECTOR TO ENTER INTO A CONTRACT WITH SUPERIOR ASPHALT MAINTENANCE, INC. IN THE AMOUNT OF \$32,144.40 PLUS SALES TAX FOR THE BASE BID FOR THE HARBOR SQUARE ASPHALT REPAIR 2017 CONTRACT. COMMISSIONER ORVIS SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY.

Commissioner Orvis pointed out that the pavers that are located within the City's right-of-way along the Edmonds Marsh are in disrepair, creating a tripping hazard. He asked who is responsible for maintaining this walkway. Mr. McChesney answered that walkway is the City's responsibility. He said the Port put the City on notice regarding the situation last year. The City responded by placing a sheet of plywood over the rotten boards and painting the pavers, but nothing has been done beyond that.

APPROVAL OF HARBOR SQUARE BUILDING 5 HVAC CONTRACT NUMBER 2017-267

Mr. McChesney recalled that on April 24th, the Commission directed staff to enter into a contract with D.K. Systems to replace a failed HVAC unit on Building 5 at Harbor Square. After a competitive bid process was completed on April 7th, the work was done on May 5th. The new unit has been inspected by staff and found to be working properly. Staff is now recommending the Commission accept the Harbor Square Building 5 HVAC Contract as complete. He noted that this is a formality to close out the contract and release retainage fees.

COMMISSIONER ORVIS MOVED THAT THE COMMISSION ACCEPT THE HARBOR SQUARE BUILDING 5 HVAC CONTRACT (2017-267) AS COMPLETE. COMMISSIONER JOHNSTON SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY.

EXECUTIVE DIRECTOR'S REPORT

Mr. McChesney advised that staff completed its routine storm drain maintenance work at Harbor Square by vactoring out 38 catch basins and installing filtration socks. He noted that this work is done on a 3 to 5-year cycle. The work is now up to date on both sides of the marina. He commented that stormwater is a very important issue, and the Port is conscientious of keeping the catch basins clean and replacing the filters regularly.

Mr. McChesney reported that he and Commissioners Preston and Johnston visited the Port of Skagit County to discuss various communications and branding ideas. It was a meaningful and fruitful discussion. It appears that the Port is mostly doing everything right, but there are always new things to learn from slightly different strategies for communicating with constituents.

Mr. McChesney advised that Port gravel parking lot was available for use during the Edmonds Arts Festival. The situation became difficult when the City blocked off a large portion of the parking area because some Killdeer Birds were nesting in the parking lot. The parking ended up meandering around the birds; but thanks to Commissioner Orvis and his crew, the parking area was laid out well and was workable. Commissioner Orvis added that Mr. McChesney played a significant role by notifying people, asking them to return to their cars and park them correctly. There were no further troubles over the weekend.

Mr. McChesney reported that he presented a "State of the Port" address at the Chamber lunch last week, which was well received. He also attended the Edmonds Citizen Economic Development Commission meeting as proxy for Commissioner Faires. The discussion centered around affordable housing. While this is an important issue, the solutions are illusive and mostly beyond the purview of what the Port does.

Mr. McChesney announced that the Port will submit its formal Shoreline Permit application to the City on June 28th for the vacant parcel on the east side of Admiral Way. He explained that the permit application was delayed because the Port was not notified at the pre-application meeting in November that critical area and geotechnical reports would be required. The reports have been completed, and the application will move forward simultaneously with the State Environmental Policy Act (SEPA) review. Because the application is a non-project action, the Port will go with a 15-day notice period, and staff will likely request that the Commission support a Determination of Non-Significance (DNS) at a meeting in August. He said he expects the Port will have the Shoreline Permit in hand before the end of the year. The Port could then begin to more aggressively market for tenants.

Commissioner Orvis asked about the size of the subject parcel being considered for the Shoreline Permit. Mr. McChesney said he is not sure of the exact size, but it is about 15,000 square feet, and the building would likely be about 6,000 square feet.

Mr. McChesney advised that, once the Port obtains the Shoreline Permit, it will be in a good position to recruit new marine-related tenants. The critical path runs through getting the Shoreline Permit, and he does not anticipate any problems moving forward. He said he has been in close contact with City staff, and the cost of the application is about \$5,000 on top of the approximately \$70,000 the Port spent preparing application documents. He reminded the Commission that it would be very difficult to market the property without having the entitlements in place.

Ms. Kempf announced that the Northwest Marine Trade Associations (NMTA) Marina and Boatyard Conference is scheduled for October 18th through 20th in Semiahmoo, Washington. Participants are encouraged to register by September 18th. She agreed to forward the Commission a copy of the draft agenda.

Ms. Kempf announced that Marina Operations operating hours will be changed June 30th, extending the hours on Friday, Saturday and Sunday from 7:00 a.m. to 7:00 p.m. Starting on July 16th (fish opening), the hours will be 6:00 a.m. to 7:00 p.m. Friday, Saturday and Sunday. Operating hours Monday through Thursday will be 7:00 a.m. to 5:00 p.m.

Ms. Drennan reported that she attended the Washington Public Port Association (WPPA) Finance Seminar in June.

Ms. Drennan advised that staff has experienced some challenges when the Commission only has one meeting in a month as far as accounts payable goes. Typically, the Commissioners sign off on the payments prior to the checks

being sent out. Sometimes vendors do not give 30 days to pay, and avoiding late fees can be extremely challenging. However, the Revised Code of Washington (RCW) allows the Port to issue checks before Commissioner approval under certain conditions. Other Ports have made specific arrangements to address these situations. For example, the Port of Everett allows its Executive Director authority to issue checks whenever an invoice is received and the Finance Department has signed off on it. The Port of Kennewick allows its Executive Director the same authority, but only when there is not a meeting at which checks can be approved.

Commissioner Orvis commented that it is a waste of taxpayer money to have a meeting just to approve the check register if there are no other items on the agenda. The remainder of the Commissioners concurred. They directed staff to formulate a policy proposal for the Commission's consideration.

COMMISSIONER'S COMMENTS AND COMMITTEE REPORTS

Commissioner Johnston reported that he met with Council Members Teitzel and Mesaros to discuss what to do with lower Sunset Avenue and SR-104 when it is abandoned when the new Edmonds Crossing Project is implemented. Although the project is not identified in the near term, it is important for the City and the Port to work together to define things that can work for that area.

Commissioner Johnston reported on his attendance at the Alliance of Citizens for Edmonds (ACE) meeting, where a number of issues were discussed. A significant consensus was that affordable housing and dense development should be moved to Highway 99 as much as possible.

Commissioner Johnston advised that he and Mr. McChesney attended the Edmonds Daybreaker Rotary Club meeting where the Hazel Miller Foundation made a very good presentation. The foundation is a very prominent contributor to public value in the City.

Commissioner Johnston reported that he and Commissioner Preston and Mr. McChesney visited the Port of Skagit County to discuss branding and communications. While the two ports are different, they have a lot of the same ideas when it comes to communicating with constituents and teaching them about the benefits of the port.

Commissioner Johnston said he was invited to present the youth art awards at the Edmonds Arts Festival, which was very fun. About 30 artists, from Kindergarten to 12th grade, received awards, and he suspects they will become the leaders of tomorrow.

Commissioner Johnston announced that he attended the Meadowdale Estuary Open House, which was well attended. He advised that the project will be significant, and it must be done while the railroad remains operational. The project will be a very interesting structural concept that will culminate into a fantastic estuary and county park.

Commissioner Johnston reported that he attended the Chamber lunch where Mr. McChesney's "State of the Port" address was well received. He also announced that he would attend the Edmonds Yacht Club's annual meeting on June 27th.

Commissioner Orvis recalled that he was co-chair of the mayor's committee to study at-grade crossing alternatives. Not only will the preferred alternative be incredibly difficult, it will also be costly. At this time, Burlington Northern Santa Fe has indicated it will not allow any grade or alignment changes. He asked if the estuary project will be similar to the structure that was built as part of the Willow Creek daylighting project. Mr. Johnston answered that it will be a much larger project.

Commissioner Orvis reported that he attended the Edmonds Tree Board meeting, where they talked about an Urban Forest Management Plan. Trees are a very contentious issue, and implementing tree preservation policies will be a herculean effort, particularly if private properties are involved. The Tree Board discussed that wonderful strides can be made via public education, and the City recently held a public meeting with about 60 citizens in attendance. Those who attended had a wide variety of interests ranging from protecting views to saving the urban forests. At this time, the Tree Board is discussing the proper types of trees to plant throughout the City to protect sidewalks and address view issues.

Commissioner Orvis said he anticipates that the WPPA's Legislative Committee will meet in September, but the exact date will depend on the Legislature's schedule. It could easily be postponed until October. Commissioner Johnston announced that he would attend the WPPA Environmental Seminar in September.

Commissioner Orvis said the nominating committee of the Economic Alliance of Snohomish County (EASC) will meet on June 30th to begin the process of finding replacements for people whose terms are expiring or those who not choosing to serve another term. He anticipates the process will continue through September.

Commissioner Orvis indicated he intent to attend the annual WPPA Meeting.

Commissioner Orvis thanked those who assisted with parking for the Edmonds Arts Festival, which was a real benefit to the community. He asked the Commissioners to give some thought as to where the parking could be relocated next year when the field is no longer available. Mr. McChesney added that it is unlikely the Port will have any excess capacity to accommodate parking for the Arts Festival in 2018, and Commissioner Orvis said the Arts Festival Foundation has been notified of this fact. He commented that the Senior Center is quietly counting on using Port property for overflow parking for the new Waterfront Center, but it is not likely the Port will have capacity for this use, either.

Commissioner Preston referred to the minutes from the May 30th meeting and said he found it interesting that Mr. Fleming, Executive Director, Edmonds Senior Center, commented that many of the questions that the Commission raised two years ago became part of the Senior Center's work program, such as a detailed business plan.

Commissioner Preston reported that he visited the Port of Skagit County with Commissioner Johnston and Mr. McChesney and it was interesting to see how much they support agriculture. He pointed out that agriculture from Skagit County ends up benefiting the Edmonds Saturday Market.

Commissioner Preston said he also attended the Chamber lunch where Mr. McChesney did a fantastic job presenting the "State of the Port" address.

Commissioner Preston said he recently met with Mike Jones to discuss Sea Scout activities. The intent is to get rid of one of the vessels as soon as possible, and Mr. Jones has agreed to work on this task.

Commissioner Preston announced that he plans to attend the Edmonds Yacht Club's annual meeting on June 27th.

Commissioner Preston advised that he recently had a discussion with Council Member Teitzel regarding a crosswalk near Arnies. His original thought was that two crosswalks would be needed, but Council Member Teitzel suggested that perhaps a diagonal crosswalk would be more effective, since that is how people cross the street now. Mr. McChesney advised that he has engaged in discussions with the City's Public Works Director and Traffic Engineer to talk about options for a crosswalk in this location, and they have acknowledged that something needs to be done. However, there has been no consensus about the best solution and who should pay for it. He agreed to contact the City's Public Works Director again to follow up on Commissioner Preston's discussion with Council Member Teitzel.

Council Member Teitzel commented that diagonal crossing would likely require flashing lights because of view obstructions. Unfortunately, that is where the fishing pier crossing is and people will walk diagonally regardless of where the crosswalks are located. They might as well accommodate the way people already walk. He said he would continue to work with Commissioner Preston and Mr. McChesney to move the process forward.

Commissioner Preston asked what the Port is doing to improve its recycling program. Mr. McChesney reviewed that the Port has had a recycling program in place for a number of years. However, there are logistical challenges when it comes to keeping the recyclable materials separate. Although containers are specifically labeled for certain materials, it only takes one member of the public to put something in the wrong container and the entire batch is considered contaminated. He agreed that the recycling program could be further improved, and said he would provide a formal report to the Commission in August as part of the budget discussions. He noted that any changes will likely have a budgetary impact.

Commissioner Preston said he has taken photographs from other communities of signage located along boardwalks. He would present the photographs to the Communications Subcommittee for consideration as they discuss opportunities for signage along the Port's boardwalk.

Commissioner Orvis suggested that Sea Jazz events should be advertised in *MY EDMONDS NEWS* and *THE EDMONDS BEACON*. Mr. McChesney advised that the schedule has already been published in both, but he would check again to make sure. Commissioner Orvis commented that it is a great program for those who come to listen, but also for the students who perform.

ADJOURNMENT

The Commission meeting was adjourned at 7:45 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'SJ', with a long horizontal flourish extending to the right.

Steve Johnston
Port Commission Secretary