

**THE PORT DISTRICT OF SOUTH WHIDBEY ISLAND  
PUBLIC HEARING and REGULAR MEETING**

Meetings held at South Whidbey Parks & Rec District, 5475 Maxwelton Rd, Langley WA  
Tuesday, January 14, 2014 at 7:00 p.m.

**AGENDA**

7:00 PM PUBLIC HEARING: **COMPREHENSIVE SCHEME FOR 2013-2019**

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7:30 PM REGULAR MEETING CALL TO ORDER and PLEDGE OF ALLEGIANCE

**Consent Agenda**

Approval of January 2014 Vouchers in the amount of **\$346,992.09** and approval of Minutes from the Special Meeting of October 3, 2013.

**FINANCIAL UPDATE**

**November 2013 Financial Statement and Finance Manager Report**  
**Memorandum 2014-1 to Transfer \$94,609.55 from Bond Fund to Operating Fund**

**PUBLIC COMMENT** – Items not on Agenda: Please limit comments to 5 minutes

**STATUS REPORTS**

**Possession Beach Waterfront Park**  
Boat Ramp Renovation Project

**Clinton Beach Park and Dock Update**

**South Whidbey Harbor Update**

Phase 1 Project

- Construction, including Change Order Request  
Boat Ramp Boarding Floats & Signage

**Harbor Operations**

- Proposed “Harbor Education Fund”
- Offsite Parking at Langley Middle School

**Port Operations**

Resolution No. 14-01 to Adopt Port Comprehensive Scheme for 2013-2019  
Marine Surveillance Camera Project (Port Security Grant)  
Employee Performance Evaluation Process

**ACTIVITIES/INVOLVEMENT REPORTS**

**Review of Commissioner Appointments and Committee Assignments for 2014**

**Gordon:** Economic Development Council (EDC), Council of Governments (COG), Skagit-Island Regional Transportation Policy Organization (RTPO) and Clinton Community Council (CCC)

**Jerome:** Washington Public Ports Association (WPPA)

**Gregoire:** Marine Resources Committee (MRC), Langley Shoreline Master Plan (SMP) Committees and Island County SMP Committee

OLD BUSINESS

NEW BUSINESS

ADJOURNMENT

**PORT DISTRICT OF SOUTH WHIDBEY ISLAND**

Minutes of the Regular Meeting

January 14, 2014

Langley, Washington

**Commissioners Present:** Curt Gordon (Clinton), Chris Jerome (Langley)\* and Dennis Gregoire (Freeland)

\*Attended via Skype from North Carolina

**Others Present:**

**Port Staff:** Ed Field (Port Operations Manager), Angi Mozer (Port Finance Manager) and Molly MacLeod-Roberts (Port Clerk); **Others:** Jim Sundberg and Bruce Allen (Langley City Councilmembers), Celeste Erickson (South Whidbey Record); and Langley residents Sue Ellen White, Fred Lundahl, and Mike McVay

**MEETING CALL TO ORDER:** Following the Public Hearing on the Six Year Comprehensive Scheme of Harbor Improvements 2013-2019 from 7:00 p.m. to 7:38 p.m., the Regular Meeting of the Port District of South Whidbey Island's Board of Commissioners was convened on Tuesday, January 14, 2014, at the South Whidbey Parks & Recreation District Meeting Room at 5475 Maxwellton Rd., Langley, Washington. Since Commissioner Chris Jerome (President) was not physically present, so Commissioner Curt Gordon (Vice President) called the Regular Meeting to order at 7:39 p.m. (The Pledge of Allegiance was said at the opening of the Public Hearing.)

**AGENDA REORDERED:** The Commission agreed to reorder the Agenda item "Resolution No. 14-01 to Adopt Port Comprehensive Scheme for 2013-2019" from Port Operations to follow immediately after Public Comment instead.

**CONSENT AGENDA**

**Approval of Current Vouchers:** Vouchers audited and certified by the Auditing Officer as required by RCW 42.24.080 and those expense reimbursement claims certified as required by RCW 42.24.090 have been recorded on a listing which has been made available to the Board, and have been presented to the Board for review. The vouchers so listed and presented are summarized on the attached Voucher Listing (**EXHIBIT A**).

**Approval of Minutes:** Minutes from the Special Meeting of October 3, 2013.

**ACTION:** A Motion was made by Jerome and seconded by Gordon to approve the Consent Agenda as presented, including the authorization and acceptance of Vouchers dated January 2014 as signed today in the amount of \$346,992.09. The Motion passed unanimously.

**FINANCIAL UPDATE**

**November 2013 Financial Statement and Finance Manager Report:** The Commission acknowledged receipt of the November 2013 Financial Statement (**EXHIBIT B**) which was distributed to them previously. Port Finance Manager Angi Mozer said the Port received \$432,000 in tax, operating and grant revenue and incurred \$162,000 in operating and capital expenses during November 2013. Ending cash balance at 11/30/13 was \$1,303,000, consisting of \$211,000 in the Bond Fund and \$1,092,000 in the General Operating Fund. She noted that in October the Port received a FEMA grant reimbursement of \$287,336 for the South Whidbey Fire/EMS response vessel building project, which in turn will be paid out to the Fire District and will be reflected in the December 2013 Financial Statement.

**Memorandum 2014-1 to Transfer \$94,609.55 from Bond Fund to Operating Fund (EXHIBIT C):** Mozer said the transfer would reimburse the capital costs incurred by Reid Middleton in 2012 to develop the final design for the Harbor Expansion that was paid out of the General Operating Fund.

**ACTION:** A Motion was made by Commissioner Dennis Gregoire and seconded by Jerome to approve Memorandum 2014-1 to Transfer \$94,609.55 from Bond Fund to Operating Fund. The Motion passed unanimously.

**Leasehold Tax Audit:** Mozer reported the Washington State Department of Revenue (DOR) conducted an audit on the Port's leasehold income and associated leasehold taxes paid for the period of January 1, 2010 through September 30, 2013. DOR provided clarification and correct reporting of leasehold excise taxes for live-aboard fees at South Whidbey Harbor (subject to leasehold taxes), the previous lease payments from The Norman Group (Patty's Parking), and current permit fees from the Humphrey Road Parking Lot (subject to sales tax; not leasehold). The total due to DOR as a result of the audit is \$266.00. All required changes have been made to the Port's accounting system.

PUBLIC COMMENT – Items not on Agenda:

**Mike McVay** of Island Beach Access, a group he described as dedicated to identifying, providing signage for, and developing access to public beaches. He asked how many of the projects listed in the latest Comp Scheme have been budgeted, in regards to the boat ramps in particular. He said, *“Boat launches are a crucial thing, as well as identifying as many of the beach accesses we can get signs on.”* McVay said the Port has done a great job at the South Whidbey Harbor in spite of the uphill battle and he congratulated the Commission on their efforts. He continued, *“But we really want some of the other small projects listed to happen as well, and not focus just on Langley or the folks down at Bush Pt., Mutiny Bay and Maxwellton will say ‘that’s not doing me any good.’ Please help the rest of us (without big boats) get to the water and enjoy it ourselves.”*

Gordon thanked McVay for his comments and said the key for the Port is economic development. He suggested signage for public accesses could enhance tourism and therefore provide an economic benefit. Regarding the South Whidbey Harbor, Gordon explained the goal is to make it cash flow positive so the Port can move on to other projects. He noted that the Port was able to secure grant funding for much of the Harbor expansion project. Staff has also secured a planning grant for improvements to the boat launch at Possession, and that project has already started. Gordon suggested Island Beach Access provide a map of the public access areas where they would like to have signage. McVay noted that signage is needed from the water as well on the land for kayakers. Gordon encouraged him to bring a map into the office so the Port could look at it and McVay agreed he would do so.

**Resolution No. 14-01 to Adopt Port Comprehensive Scheme for 2013-2019 (EXHIBIT D):** Gregoire suggested they adopt the Comp Scheme with the proviso to amend the Resolution to add the timeline (flow chart) for the projects and initiatives listed on page 25 at the next regular meeting, along with a summary of public comments and Commission response to the comments. Mozer noted that all comments received to date have been compiled, and Makers Urban Architecture and Design, LLP (Makers) has indicated whether the comments were incorporated into the document or not and how each comment was handled. She said tonight's comments could be added to those and referenced as an addendum. Gordon suggested two separate motions – one to approve the Resolution and adopt the Comp Scheme and one to provide additions as Gregoire requested.

**ACTION:** A Motion was made by Gregoire and seconded by Jerome to approve Resolution No. 14-01 Adopting the Six Year Comprehensive Scheme of Harbor Improvements 2013-2019. The Motion passed unanimously.

**ACTION:** A Motion was made by Gregoire and seconded by Jerome to direct Port Staff to prepare a summary of public comments and a conceptual timetable for the items on page 25 of the Comp Scheme for Commission consideration and approval as an addendum to the Comp Scheme at the regular January meeting. The Motion passed unanimously.

## STATUS REPORTS

### **Possession Beach Waterfront Park**

Boat Ramp Renovation Project: Port Operations Manager Ed Field reported a kick-off meeting was held last week with project consultants Coast & Harbor Engineering (CHE). They are ready to go, and he has been corresponding with Gregoire about facilitating their research. Field said the current and historical files would be available for CHE to fully review. Gregoire noted that at last week's Special Meeting, CHE had indicated it would take 3-4 weeks for Task 1 and they would provide a report at that time. He thought CHE was overly optimistic and it would take longer.

**Clinton Beach Park and Dock Update:** Field noted there were some localized wind storms over the weekend, causing a tree on the hillside at the Park to tip over. There were also two well-established shrubs near the restrooms that appeared to have blown over, but the landscape maintenance company subsequently informed the Port that they were actually ripped out previously (vandalized) and they had attempted to re-plant them. Gordon had spent an hour at the Park the day before and noted that it needs attention – some of the pavers are coming up, the parking signs are bent and the gate lock down to the dock is broken. The work is needed and the Park needs to get back on the radar. Field added that there is some limited breaking on the pile wells and Greenbank Metalworks has been contacted for that repair.

### **South Whidbey Harbor**

#### Phase 1 Project

- Construction, including Change Order Request: In response to the levelling issue on the 266' dock raised by the gangway manufacturer, Reid Middleton had produced a recommendation for ballasting the outer tanks of the 266' dock with gravel. That proposal was sent to Mike Carlson Enterprises (MCE), who responded with a cost estimate. There were additional costs included in the original estimate because the contractor's barges were already loaded for another job. Field said they were able to coordinate with a local contractor (Sound Slope & Shoreline) for that work. After getting approval from each of the Commissioners on January 10<sup>th</sup>, Field had authorized MCE to proceed with their revised proposal on a Force Account basis with a not-to-exceed amount of \$23,188.62 (plus tax).

The gravel bags were loaded yesterday, and then first thing this morning Field received a phone call informing him that the fork lift was broken down and everyone was on standby for the day. They were able to track down a fork lift in Oak Harbor which was on site by 11:00 a.m. Sound Slope & Shoreline was back on the job by noon, and when Field left at 4:00 p.m. all the ballast had been placed in the tanks. There are 3-4 bags of gravel left over. Shannon Kinsella of Reid Middleton will provide the information on where to place the plate underneath the gangway tomorrow.

The electric inspection is expected to occur later this week and Puget Sound Energy will hopefully hook up power next week from the restroom connection out to the new docks. Many of the lights are up on the 266' dock and the rest will be going up in the next couple of days. They will all be levelled to the new level dock. The lighting on the existing structure will get changed out in 1-2 weeks. Field said there is a good month of hard work ahead, but he doesn't see any reason why the contractor can't wrap up on time (February 21<sup>st</sup>). He noted that all "in water" work must be done by February 15<sup>th</sup> because of the permits.

- Boat Ramp Boarding Floats & Signage: No update.

#### Harbor Operations

- Proposed "Harbor Education Fund": Monte Hughes of Mystic Sea Charters had proposed a benefit cruise to help fund something at the Harbor, such as the purchase of the work boat. Since the boat purchase is really part of basic operations, Port Clerk MacLeod-Roberts had instead suggested establishing an educational fund to purchase items for the Langley Middle School science programs to utilize while studying marine life down at the Harbor or in the classroom. Jerome suggested children's life jackets might be needed as well. Staff was directed to work with Mystic Sea as needed.

- Offsite Parking at Langley Middle School (LMS): Jeff Arango (Langley's Director of Community Planning) had drafted a Memo to the South Whidbey School Board (**EXHIBIT E**) from the City and the Port. Mozer explained that the concept is for the Port to do a pilot program for shared parking in Langley agreed to by the City, Port and South Whidbey Schools at LMS and the Park & Ride at the Island Church of Whidbey (when available). During the pilot study, the City will monitor, manage and study parking needs during the 2014 boating season. As a result of the pilot program, the City will provide analysis to determine the viability of a long-term agreement between the stakeholders for a more permanent, long-term solution, specifically considering the next phase of expansion at South Whidbey Harbor.

Gregoire said the Port needs to document and study and do its own evaluation for its uses, but that costs money. Since it's a pilot program, he's okay with it but he's not optimistic as to how it will turn out. Jerome said the Port needs to get the data so we know what we're dealing with, but he has some concerns with the memo as written. On page 1, it talks about future improvements to the parking facilities to be funded by the Port of South Whidbey. He doesn't think that should be in the memo; the current InterLocal Agreement (ILA) says the resolution of the parking issue is to be a joint effort of the City and the Port. The Memo says the funding is on the Port and that is a conflict with the current ILA. The matter of funding future improvements needs to be discussed with the City and not included in this Memo. Jerome is unsure how useful the collection of data will be until a funicular or elevator is in place. A key element for using the space for trailer parking is that there will be an easier way to for people to launch their boats and park their trailers away from the waterfront and the limited parking available there. If the City wants to go ahead and collect pilot data before that and thinks it will be useful, he doesn't have a problem with it. Gordon thought the Memo is a good faith effort from the City to acknowledge they have joint responsibility with the Port for parking.

Jerome said, *"We should respond and state we are very supportive of this, but we do not want to pre-judge the issue of funding for future parking improvements."* Gordon said the response should also convey that the Port is very pleased that the Port and City are working together to solve parking problems. The Commission agreed, and Mozer was directed to respond to the City accordingly and request the wording regarding future funding be removed. She believes once the Memo is finalized, the next step is to present it to the School Board to see if they will agree with the parking pilot program.

### **Port Operations**

- Port Security Grant (PSG) Program – Marine Surveillance Camera Project: Mozer said all work must be done by January 31, 2014. The cameras went up at Bush Pt. earlier that day and at South Whidbey Harbor on Friday. The cameras at Possession have also been installed. The big cameras that see far across the water have not been installed yet because the lenses have not arrived.
- Employee Performance Evaluation Process: Mozer referred to the draft Annual Staff Manager Performance Evaluation (**EXHIBIT F**) she had previously submitted for Commission review. The Commission gave their approval of the format. Gordon explained the process would involve each of the Commissioners completing an Evaluation for the Finance Manager and for the Operations Manager. Field and Mozer will each complete their self-evaluations. Once completed, the Commission will meet with each of them to discuss the evaluations. After that, it will be up to the Staff Managers to determine how to evaluate the performances of their supervised employees.

ACTIVITIES/INVOLVEMENT REPORTS

**Review of Commissioner Appointments and Committee Assignments for 2014:** Jerome said he was not able to accept any assignments for reasons he will explain under New Business. After a brief discussion, the Commission agreed to the following assignments/appointments for the time being:

- Council of Governments (COG): Gordon
- Skagit-Island Regional Transportation Policy Organization – Technical Advisory Committee (RTPO-TAC): Gordon
- Clinton Community Council (CCC): Gordon
- Marine Resource Committee (MRC): Gordon
- Economic Development Council (EDC): Gregoire
- Langley Shoreline Master Plan (SMP) Committee and Island County SMP Committee: Gregoire
- Washington Public Ports Association (WPPA): To be determined at a later date.

**Gordon:** Economic Development Council (EDC), Council of Governments (COG) and Skagit-Island Regional Transportation Policy Organization – Technical Advisory Committee (RTPO-TAC), and Clinton Community Council (CCC): No reports.

**Jerome:** Washington Public Ports Association (WPPA): No report.

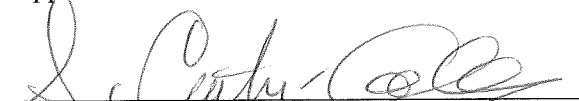
**Gregoire:** Marine Resources Committee (MRC), Langley Shoreline Master Plan (SMP) Committee and Island County SMP Committee: No reports.


OLD BUSINESS: There was none.

NEW BUSINESS: Jerome announced he has been engaged in “economic development activity for the Jerome household.” He continued, *“Regrettably, but also happily, it has resulted in my moving to North Carolina to accept employment at Wake Forest Medical Center, which unfortunately means I need to resign from the Port Commission. It’s been a pleasure to work with the Staff and the other Commissioners and to serve, but at this point of time I can no longer continue to represent the citizens of Langley (District 2) on the Commission.”* Gordon responded, *“To quote LBJ, it is with a heavy heart that we accept your resignation. I understand completely, and I’m happy for you and I think it’s a great opportunity.”* He said Jerome did a great job and he respected him very much, adding that he appreciated having a level-headed, clear-minded fellow Commissioner to serve with. Jerome thanked him and said he certainly enjoyed working with him, too. Gregoire added, *“We are certainly going to miss you and I’ve enjoyed with you as well.”*

ADJOURNMENT: The Meeting was adjourned at 8:47 p.m.

Approved:

  
Commissioner Curt Gordon, Clinton

  
Commissioner Dennis Gregoire, Freeland

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Commissioner Chris Jerome, Langley

Minutes reviewed by:

  
Angi Mozer, Port Finance Manager

- Exhibit A: Voucher Listing
- Exhibit B: November 2013 Financial Statement
- Exhibit C: Memorandum 2014-1: Transfer funds from Bond Fund to Operating Fund
- Exhibit D: Resolution 14-01 to Adopt Port Comprehensive Scheme 2013-2019
- Exhibit E: Draft Memo from City of Langley & Port to South Whidbey School Board re: Parking
- Exhibit F: Draft Annual Staff Performance Evaluation