

**THE PORT DISTRICT OF SOUTH WHIDBEY ISLAND
WORKSHOP and SPECIAL MEETING**
Held at Port Office Conference Room, 1804 Scott Rd, Freeland, WA
Monday, November 25, 2013 at 4:00 p.m.

AGENDA

CALL TO ORDER and PLEDGE OF ALLEGIANCE

South Whidbey Harbor Construction

Voucher Approval – South Whidbey Fire/EMS in the amount of \$287,336.32 (Port Security Grant Program reimbursement for marine response vessel)

Port Comprehensive Scheme for 2013-2019

ADJOURNMENT

PORT DISTRICT OF SOUTH WHIDBEY ISLAND

Minutes of the Special Meeting

November 25, 2013

Freeland, Washington

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

Others Present

Port Staff: Ed Field (Port Operations Manager), Angi Mozer (Port Finance Manager), Molly MacLeod-Roberts (Port Clerk) **Others:** Celeste Erickson (South Whidbey Record) and Jim Sundberg (Langley City Councilmember)

MEETING CALL TO ORDER: The Special Meeting of the Port District of South Whidbey Island's Board of Commissioners was convened on Monday, November 25, 2013, in the Port office conference room at 1804 Scott Rd. in Freeland, WA. As announced, the primary purpose of the Special Meeting was for Commission and Staff review, discussion and direction on South Whidbey Harbor construction issues and the Port Comprehensive Scheme for 2013-2019, along with approval of a voucher for the South Whidbey Fire/EMS response vessel. Although the Meeting was of course open to the public, it was scheduled primarily for Commission and Staff consideration of the specific Harbor construction and Comp Scheme issues, and public participation was not on the Agenda.

Commissioner Curt Gordon, President, called the Special Meeting to order at 4:05 p.m., followed by the Pledge of Allegiance.

SOUTH WHIDBEY HARBOR CONSTRUCTION: As discussed at the previous meeting, the 400' breakwater has been separated into two sections (266' and 133'). Gordon explained that those sections are anchored but not underneath the gangway as expected. There were several emails between the contractor (Mike Carlson Enterprises and subcontractor Neptune Marine), the Port and the engineering firm of Reid Middleton. There were requests for direction from the contractor and suggestions of change orders, so Gordon asked Port Operations Manager Ed Field to find a dive company to survey what we have before proceeding. Waterworx Dive Service was hired for the work, and the preliminary dive provided enough information to know that the contractor has not yet finished the rigging the way the design had intended.

Based on that information, Gordon suggested the Commission give direction to Field to proceed forward only as an inspector and to manage the project as a go-between for any requests for information and hold ground on any potential change orders, including some that have already been discussed (changing the way the span would land and protecting the base of the span, etc.). Gordon had observed there are large, heavy electrical transformers on the dock that are not centered, and the preliminary dive showed a clump weight that is not positioned correctly. He said, *"So what we need to do is implore upon the contractor to get this portion of the work completed so that we can know what we need to do to take the next step."* The results from the dive inspection underneath the breakwater (potential cost of \$2,500 authorized based on the emergency situation) will be available in the next couple of days. Although Gordon will be out of town for the next week, he will be available by phone. He said, *"I don't want to spend money with engineers. This is for everybody's information only. I read through the contract we have with the engineering firm. Within their contract, Reid Middleton will provide up to 30 RFIs (Requests for Information). So using the existing contract, there should be no need for any change orders for Mike Carlson Enterprises to come in and finish the work that was started and secure the breakwater in the position it is designed to be in. At that point, we'll see how things fit."*

Gordon reiterated that the contractor needs to finish the work per the engineering plans and no change orders should be made until that has happened. He said, *"Between the engineer, Ed (Field) and the contractor – this project needs to get completed to the point they've been paid and then we'll move on. And I mean bull rail changes, etc. – changes that obviously have nothing to do with the contractor's*

performance. I don't want anything muddying the water here. They need to have clean direction and the only way to do that is if they have no potential change orders. They need to just finish the work they've been paid for – they've had plenty of time within their contract to do that. They came in, they lashed this thing where it is, it didn't quite fit and they left. Our contract says they are responsible for that float and the gangway until the Port takes it over at the end of this project. The contractor has the responsibility to take care of this without direction from us. Any direction that we give them that is additional direction could be misconstrued as a release from other requirement. We need to specifically say that the tasks that are laid out in the contract are focused on and nothing else."

Gordon pointed out that this does not preclude Mike Carlson Enterprise from doing any other parts of the project, including putting the heavy transformers and light poles in place on the breakwater and the on-shore work. He also suggested that another dive inspection/survey should be done after the work is completed.

The Commission agreed with Gordon's recommendations for proceeding as discussed.

VOUCHER APPROVAL: A Voucher 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 voucher so listed and presented is summarized on the attached Voucher Listing **(EXHIBIT A)**.

Port Finance Manager Angi Mozer explained that the Voucher for South Whidbey Fire/EMS is essentially a "pass-through." The Port acted as the Grant Administrator for the Port Security Grant Program which will provide 75% of the cost for the emergency response vessel under construction. In October, the Port received a check from the Marine Exchange in the amount of \$287,336.32 for the reimbursement which is now being paid to SWF/EMS

ACTION: A Motion was made by Commissioner Chris Jerome and seconded by Commissioner Dennis Gregoire to authorize, accept and approve the Voucher payable to South Whidbey Fire/EMS dated November 2013 as signed today in the amount of \$287,336.32. The Motion passed unanimously.

PORT COMPREHENSIVE SCHEME FOR 2013-2019: The current draft Comp Scheme has the following Mission Statement: *"To enhance the economic well-being of the community and increase public access to marine areas while respecting the unique and rural character and environment of South Whidbey Island."* Gordon felt the Commission has had lengthy and thorough financial discussions about how the Port owns or co-owns as much or more boat ramps than the Port can handle right now. He suggested replacing the word "increase" with "maintain" instead. He noted that there is a group on Whidbey Island that is dedicated to increasing public access and there is great benefit to that. Gregoire doesn't think the Port knows if the six boat ramps are too much – analysis needs to be done. He added that the citizen's group that is trying to increase public access to marine areas really wants signage to help accomplish that and the Port could and should help them by providing funding for that.

Jerome suggested the word "improve" could be used instead of either increase or maintain, and the Commission strongly agreed.

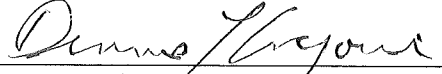
EXECUTIVE SESSION: At Gordon's request, the Board of Commissioners went into Executive Session at 4:25 p.m. for an expected duration of 20 minutes to review the performance of a public employee. At 4:45 p.m. the Commission extended the Executive Session for an additional ten minutes. The Board came out of Executive Session at 4:55 p.m.

ADJOURNMENT: The Special Meeting was adjourned at 4:56 p.m. with no further action.

Approved:



Commissioner Curt Gordon, Clinton



Commissioner Dennis Grégoire, Freeland



Commissioner Chris Jerome, Langley

Exhibit A: Voucher Listing

Minutes reviewed by:



Edwin S. Field, Port Operations Manager