

**THE PORT DISTRICT OF SOUTH WHIDBEY ISLAND
WORKSHOP and SPECIAL MEETING**
Held at Port Office Conference Room, 1804 Scott Rd, Freeland, WA
Tuesday, October 15, 2013 at 6:30 p.m.

AGENDA

WORKSHOP (6:00-6:30 PM): Informal discussion of recent correspondence and project status

SPECIAL MEETING

CALL TO ORDER and PLEDGE OF ALLEGIANCE (6:30)

SOUTH WHIDBEY HARBOR (6:30-7:00 approx.)

Phase 1 Construction Cost & Schedule

Voucher Approval (Mike Carlson Enterprises Pay Application #6 Part B for \$163,628.23)

POSSESSION BEACH WATERFRONT PARK (7:00 -7:15 approx)

Boat Ramp Renovation – Review of Consultant Selection and RCO Issues

PORT OPERATIONS (7:15-8:30 approx.)

Port Security Grant Program Surveillance Camera Project - Bid Results and Action to Award

Port Strategic Plan and Comprehensive Scheme

2014 Budget Discussion

Finance Manager Proposal

ADJOURNMENT

PORT DISTRICT OF SOUTH WHIDBEY ISLAND

Minutes of the Special Meeting

October 15, 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), Duncan McPhee (Harbormaster) and Eileen Cronin (Assistant Harbormaster)

Others: Jim Sundberg (City of Langley Councilmember), and Brandon Baney (Mike Carlson Enterprises)

MEETING CALL TO ORDER: The Special Meeting of the Port District of South Whidbey Island's Board of Commissioners was convened on Tuesday, October 15, 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 Phase 1 Harbor construction schedule and cost issues, Possession Ramp Reconstruction consultant and Recreation and Conservation Office (RCO) issues and listed Port operational issues. Although the Meeting was of course open to the public, it was scheduled primarily for Commission and Staff consideration of those specific issues, and public participation was not on the Agenda.

Commissioner Curt Gordon, President, called the Special Meeting to order at 6:30 p.m., followed by the Pledge of Allegiance.

SOUTH WHIDBEY HARBOR

Phase 1 Construction Cost & Schedule: Port Operations Manager Ed Field presented copies of the draft Pending Cost Issues Phase 1 Harbor Expansion spreadsheet he had prepared (**EXHIBIT A**). The spreadsheet lists the Pending Issues as Waterline, Duct Bank, Pile driving, Mooring lines, Fendering, Bull rail revisions and PSE (Puget Sound Energy) work, and provides updated estimated cost and final cost amounts where known. The Approved to Date total (for Change Orders 1-3) is \$19,671.82. The Pending Totals (including estimate/proposal or final cost if available) is \$118,884.70. The combined total for approved and pending costs is \$138,556.52.

Waterline: Field reported Mike Carlson Enterprises (MCE) had just submitted the estimate for the changed conditions for the contaminated soils and logs late this afternoon as follows:

- Changed conditions: MCE Summary 9/26-10/8 estimate of \$17,691 plus tax for a total of \$19,230.12
- Changed condition: Contaminated soil trucking estimate of \$3,705 plus tax for a total of \$4,027.34 (Field noted that MCE's above proposed numbers had come in late that afternoon so he has not yet done any review on them.)
- Contaminated soil: Direct disposal costs estimate including tax totals \$2,228.35 (telephone quote).

Commissioner Dennis Gregoire asked for details on the situation, and after Field explained that the contaminated soils were on City property and not Port property, he strongly recommended contacting Port Attorney Brad Cattle because he believes the Port can get reimbursement from the City for those costs. Field was directed to follow up on the issue with the attorney.

Duct Bank: Scope reduction (elimination of ½ of the spare conduits) will result in cost savings and require a smaller trench.

Pile Driving: The last pile (Pile 133-5) hit refusal before 40' embed, and Reid Middleton had provided Work Change Directive No. 2 (**EXHIBIT B**), which described the task as removal of two feet from the top of the piling in order to remove the navigational hazard it presents. MCE's cost estimate for the Pile cut-off is \$10,163.45 (including tax). Field said Neptune Marine (MCE subcontractor) has a conflict with

their barge/crane schedule and would like to wait until they are returning from another job to do the cut-off work. Commissioner Chris Jerome noted that the pile should be clearly marked in the meantime.

ACTION: A Motion was made by Jerome and seconded by Gregoire to authorize Field to give Notice to Proceed to Mike Carlson Enterprises/Neptune Marine for the cut-off of Pile 133-5 as described in Reid Middleton's Work Change Directive No. 2 for a total cost of \$10,163.45. The Motion passed unanimously.

Field said he would prepare the Change Order accordingly.

Mooring lines: Field is still working with the contractor to see if the Port can get some credit through restocking, etc. for the spare parts. However, regarding the Connecting link conflict and Shackle pin conflict issues totaling \$21,544.34, Field explained that in order to keep things moving those parts were ordered and implemented at the engineer's direction and concurrence. He said, *"So that stuff is mostly in the water and I would like your concurrence on Change Order #4, which feeds into Pay Application 6B."*

ACTION: A Motion was made by Jerome and seconded by Gregoire to approve Change Order #4 (mooring lines) as described. The Motion passed unanimously.

Fendering: Field said there is concern that during high wave conditions that the 266' dock could go under the 133' dock and damage the fendering. The superintendent (Jay Tomasko, Neptune Marine) is making the recommendation to improve the fendering at an estimated cost of \$6,500 plus tax. Field said, *"We're looking at functionality and value added in a challenging environment."* He said it is being evaluated but it looks like it makes a lot of sense and he will probably be recommending it.

Bull rail revisions: The layout of the existing bull rails might not match once the docks have been reconfigured and will need modification.

Regarding the fendering and bull rail issues, Jerome asked if Reid Middleton missed them when they did the design. Field responded, *"Some of these are a little bit tough. They are very design-related."* He added that he had more heartburn over the shackle pin and connecting link conflicts.

Gordon said the project has a contingency of just \$158,000, and there are still a lot of question marks for numbers to be added to the \$140,000 already identified. He asked Field if he is still negotiating the onshore items (waterline, etc.) with the contractor, or did he just take the contractor's change order request and run it by the Commission. Field said he is still working on it. Jerome said there are some things they can do for the costs, including following up with the Port attorney on the City's potential liability for the contaminated soil costs. And if Reid Middleton comes up with additional costs, the Port can push back based on the engineering issues on the mooring lines, fendering and bull rails. Jerome added that the next time the Port has a project, Staff will need to pay more attention to the contract and review it carefully and have plans that have more detail. Gordon agreed, but reiterated that there is room for push back on the onshore items.

Approval of Current Voucher: 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 C).

ACTION: A Motion was made by Commissioner Chris Jerome and seconded by Gregoire to authorize and accept the Voucher for Mike Carlson Enterprises for Pay Application 6B dated October 15, 2013 as signed today in the amount of \$163,628.23. The Motion passed unanimously.

POSSESSION BEACH WATERFRONT PARK

Boat Ramp Renovation – Review of Consultant Selection and Recreation & Conservation Office (RCO) Issues: Now that Coast & Harbor Engineering (CHE) has been selected as the consultant for the project, Field said he would draft a letter to RCO Project Manager Myra Barker formally confirming that the Port plans to complete the scope (through construction documents) and run it by CHE first, along with the Project Schedule from RCO.

Field said CHE has been requested to provide an updated summary of their technical approach and a draft copy of the agreement by November 6th for Commission review and consideration during the regular November meeting. The Commission agreed an additional special meeting with CHE would be needed later in November.

PORT OPERATIONS

Port Security Grant Program Surveillance Camera Project – Bid Results and Action to Award: Port Finance Manager Angi Mozer presented the Summary of Bid Results (**EXHIBIT D**). Four bids were submitted (**EXHIBIT E**), with 3 of them extremely close in price (ranging from \$59,147.71-\$60,710.00) and one submitted by Red Hawk that was significantly lower at \$39,668.98. Because Red Hawk's bid was very brief and contained no detail, Mozer asked Port Attorney Brad Cattle and the Port's Fiduciary Agent at Marine Exchange if it was responsive. Both indicated that if it did not fulfill the requirements of the Request for Proposals (RFP), then it can be considered non-responsive. Cattle indicated she could request the low bidder provide additional information, including specs on equipment, etc. Mozer subsequently requested their qualifications and a summary of how the firm plans to fulfill the Port's requirements for the project. She did so by pulling quotes directly from the RFP, which specifically states they must be fixed cameras. For the far reaching, wide-range views, the fixed cameras are needed to provide better zoom features. The other type of camera is a Pan Tilt Zoom (PTZ) and it does not satisfy the requirements. The low bidder responded with their specs today, and their proposal is for PTZ cameras, which explains why their bid was so much lower than the others. Red Hawk's bid is therefore non-responsive since it does not provide the equipment required for the project. The second lowest bid (\$59,147.71) was submitted by Whidbey Telecom. Mozer said the equipment checks out and is adequate to fulfill all of the requirements stated in the RFP. Their bid package did not include qualifications, so Mozer has requested Whidbey Telecom provide those. If the qualifications are received and they seem adequate for the project, Mozer recommends awarding the contract to Whidbey Telecom.

ACTION: A Motion was made by Gregoire and seconded by Jerome to award the Surveillance Camera Project to Whidbey Telecom.

Gordon asked if Cattle had indicated whether bidder qualifications were a requirement in the RFP for a bid package to be complete. Mozer said she had not asked the attorney that specific question. Gordon noted that it appears that 3 of the 4 bids did not provide qualifications, and Mozer added that the 4th bid included references rather than qualifications. The Commission directed Mozer to contact the Port Attorney and get his legal opinion and clarification.

The Motion was withdrawn pending legal consultation.

The Commission agreed a Special Meeting could be scheduled if needed to award the project in order to meet the FEMA Port Security Grant schedule (all work must be completed and invoiced by January 31, 2014).

Port Strategic Plan and Comprehensive Scheme: Mozer referred the Commission to their copies of the Draft Strategic Plan Revised Goals that Makers had provided (**EXHIBIT F**). The Existing "Goal 1: Enhance the Island's Economy" has been revised to the Alternative "Goal 1: Support business growth and Goal 2: Enhance transportation opportunities." The 2nd bullet under Goal 2 reads, "*Coordinate with Island Transit and private charters to provide easy service during tourist season and special events.*"

Gordon felt that was too specific. The Commission agreed to change the wording to: ***“Coordinate with Island Transit and other public and private partners to provide expanded service during tourist season and special events.”*** The 1st bullet under Goal 2 reads, *“Advocate for and support enhancements to the Island’s multi-modal transportation network, including bicycle, pedestrian, and bus infrastructure.”* The Commission agreed to delete the text after “network” per Jerome’s recommendation. The 3rd bullet under Goal 2 reads, *“Support local agencies efforts to improve vehicle parking and multi-modal efficiency on the Mukilteo side of the ferry.”* Jerome suggested changing it to read, *“...and multi-modal efficiency in relationship to the ferry.”* He also suggested the following changes to the Goal 2 paragraph: *“Currently, 71% of working residents commute outside the district for employment and 46% of the jobs in the district are taken by workers who commute to the island district. ~~These long commutes are linked to poor health and quality of life and may deter new residents from moving to the Island.~~ Tourism is currently dependent on transportation options with limited capacity.”* The Commission agreed to make the suggested changes.

On page 6 of the draft Strategic Plan, under Community Characteristics, Age: Gordon noted that the study provided by BST stated the median age in the district is 52.7 years, compared with Island County at 43.2 years and the State of Washington at 37.1 years. He would like to add the following statistic to that section: *“62% of residents in the district are 45 years of age or older.”* The Commission agreed it was important information and should be added.

Gregoire said he wasn’t happy with the lack of information on the inventory, history and background of the six boat ramps in the Strategic Plan and Comprehensive Scheme. He thinks there should either be more boat ramp data in both documents, or they should indicate that next year the Port will have program that will collect and compile the data. Gordon agreed with the latter recommendation. Gregoire said he would work on the wording for the boat ramps to put in the Comp Scheme.

2014 Budget Discussion: Mozer presented the 2014 Draft Preliminary Budget (**EXHIBIT G**). The only change to the draft as discussed at the October 8th meeting is the addition of \$20,000 expenditure for Outside Mooring Design, and \$20,000 revenue from RCEDF grant to offset it.

ACTION: A Motion was made by Jerome and seconded by Gregoire to approve the 2014 Preliminary Budget for publication as presented.

Gregoire asked about the budget for marina planning, and Gordon said the \$50,000 was pulled out of the 2014 budget, explaining, *“That would have come out of our pocket because we don’t have a grant for it.”* Gregoire said once the Phase 1 project is complete and the expanded marina is up and running, the Port will need to do an internal evaluation in late 2014 to determine how it is doing based on the goals & objectives set for it, identify deficiencies and come up with ways to make it function better. That would allow the Port to do pre-planning prior to starting the Harbor Master Plan. Gordon agreed, and added that Mozer and Harbormaster Duncan McPhee would be able to conduct that evaluation and then in early 2015 the Port could begin discussing Harbor Master Plan issues.

Mozer added that the 2014 Preliminary Budget includes \$25,000 for Consultant Services. The Port anticipates the City of Langley will take the lead on the Harbor Master Plan, and the Port could potentially contribute some of that budgeted amount for that process.

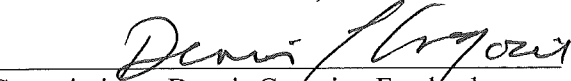
Gordon called for a vote on the Motion. The Motion passed unanimously.

Finance Manager Proposal: Mozer has been paid at an hourly rate with no benefits since she started in May 2012, and would like to become a full-time, salaried employee with benefits (vacation, personal leave, healthcare allowance, cell phone reimbursement and holidays). The proposed salary is based on an hourly rate that is \$1.35 less than she is currently paid. The Commission agreed they were pleased with her job performance and approved her request as submitted, effective immediately.

ADJOURNMENT: The Special Meeting was adjourned at 8:12 p.m.

Approved:


Commissioner Curt Gordon, Clinton


Commissioner Dennis Gregoire, Freeland

Minutes reviewed by:


Angi Mozer, Port Finance Manager

Commissioner Chris Jerome, Langley

- Exhibit A: Draft Pending Cost Issues Phase 1 Harbor Expansion spreadsheet
- Exhibit B: Work Change Directive No. 2 to Mike Carlson Enterprises
- Exhibit C: Voucher Listing
- Exhibit D: Summary of Bid Results (Surveillance Camera Project)
- Exhibit E: Surveillance Camera Bid Proposals (4)
- Exhibit F: Draft Strategic Plan Revised Goals
- Exhibit G: 2014 Draft Preliminary Budget