

AGENDA
THE PORT DISTRICT OF SOUTH WHIDBEY ISLAND
PUBLIC HEARING FOR THE RELIMINARY 2009 BUDGET and
REGULAR MEETING

LOCATION: Freeland Library Conference Room, Freeland WA

DATE: October 8, 2008

7:00 PM – 7:30 PM PUBLIC HEARING FOR THE PRELIMINARY 2009 BUDGET

1. 7:30 PM - REGULAR MEETING

- A. Call to Order
- B. Pledge of Allegiance

2. BUSINESS MEETING

- A. Consent Agenda:
 - 1. Minutes on file: Minutes from Regular Meetings of August 13 and September 10, 2008
 - 2. Vouchers: Vouchers #3560 through #3592 (as signed today) for a total amount of \$28,423.66.

3. PUBLIC COMMENT – Including Items not on Agenda.

4. ACCOUNTANT REPORT:

- A. August 2008 Financial Statement (mailed earlier)
- B.

5. PROJECT ACTION ISSUES - Staff Report, Public Comment, Commissioners' Discussion

- A. South Whidbey Harbor
 - 1. Funding Opportunities
 - 1. RCEDF Application Status
 - 2. Is. Co. Hazard Mitigation Plan Update
 - 2. City Coordination
 - 1. Draft ILA Amendment
 - 2. Wharf Street Design Issues
 - 3. Harbor Operations
 - 1. Harbormaster Hiring Update and Process Review
- B. Freeland Park
 - 1. Dock Repair / Replacement Coordination with Island County
- C. Whidbey Air Park
 - 1. Site Assessment: Status Update

6. ACTIVITIES/INVOLVEMENT REPORTS

- A. Economic Development Council (EDC)
- B. Council of Governments (COG)
 - 1. Next Meeting 10/22/08 in Skagit County (specific location TBD)
- C. Skagit-Island Regional Transportation Policy Organization (RTPO)
- D. Marine Resources Committee (MRC)
- E. Washington Public Ports Association (WPPA)
 - 1. Joint NMTA and WPPA Marina Seminar: Wed. & Thurs. Oct 15-16, Tacoma
 - 2. BARS Accounting for Small Ports: Wednesday Oct 22, Leavenworth (Molly)
 - 3. Small Ports Seminar: Noon Thurs thru noon Friday Oct 23-24, Leavenworth (Dane)
 - 4. Annual Meeting: Wed & Thurs Nov. 19-20, Tacoma (Commissioners?)
 - 5. Vital Legal Tools (Open Mtgs, Pub Records, Econ Dev): Tues pm Nov. 18, Tacoma (Ed)
- F. Community Trade & Economic Development (CTED)
- G. Holmes Harbor Shellfish Protection District
- H. Puget Sound Partnership

7. OLD BUSINESS

- A.

8. NEW BUSINESS

- A. Webcam Installation Proposal for Port Facilities, from Whibeywebcam.com (Unsolic.)

9. EXECUTIVE SESSION (if necessary)

10. ADJOURNMENT

PORT DISTRICT OF SOUTH WHIDBEY ISLAND

Minutes of the Regular Meeting

October 8, 2008

Freeland, Washington

Present at the meeting were:

Commissioner Lynae Slinden, Clinton
Commissioner Rolf Seitle, Langley
Commissioner Geoff Tapert, Freeland
Ed Field, Port Manager
Chuck Edwards, Port Accountant
Dane Anderson, Port Financial Coordinator
Molly MacLeod-Roberts, Port Clerk

Ron & Corrina Anger, Freeland Residents
Dennis Gregoire, Freeland Resident
Don McArthur, Freeland Resident
Jeff Hamilton, Freeland Resident

Absent: None

1. MEETING CALL TO ORDER:

The Regular Meeting of the Port District of South Whidbey Island's Board of Commissioners was convened on October 8, 2008, at the Freeland Library Conference Room in Freeland, WA, following the completion of the Public Hearing on the 2009 Preliminary Budget. Commissioner Seitle, President, called the Regular Meeting to order at 8:14 p.m.

2. BUSINESS MEETING – THE CONSENT AGENDA:

A. Consent Agenda:

1. Minutes: Minutes from the Regular Meetings of August 13 and September 10, 2008.
2. 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**).

ACTION: A Motion was made by Commissioner Slinden and seconded by Commissioner Tapert to accept the Consent Agenda, including authorization of Vouchers #3560 - #3592 in the amount of \$28,423.66. The Motion passed unanimously.

3. PUBLIC COMMENT – Including Items not on Agenda:

A. Ron Anger, Freeland Resident: Ron Anger was on hand to seek clarification of the information he received from Port Manager Ed Field about his easement request at Possession Park. The Port has said a survey and/or appraisal is needed in order to consider Anger's

request for easement. Since that will cost Anger several thousand dollars, he'd like to know if there is any indication it will result in something positive.

Commissioner Slinden said she had spoken with a planner from Island County, who said if Anger planned on making any improvements such as creating a driveway, he would first need to discuss permitting and other issues with the County. She suggested he should contact the County and ask about their requirements as well.

Commissioner Tapert said if the Port has an appraisal that states, "the easement rights are worth 'x' amount of dollars," then the Port could accept the offer as a fair market value. However, there may be some encroachment issues and the existing road may or may not be within the existing easement, and the Port has to know if there are any issues prior to granting any easement. If the survey and appraisal show that there are no issues and if they establish a fair market value, Commissioner Tapert doesn't see any problem with the Port granting an easement after a public hearing, etc. Commissioner Slinden noted it could be something in lieu of cash, such as some kind of improvement that would be of value to the public like additional parking.

Commissioner Slinden said they are amenable to the easement if the County would permit it and if it is proven to be the best location for the road. Commissioner Tapert cautioned that it is at the end of the existing public road, and the County might look at it as an extension of the public road, and subject to certain standards. Anger said he had spoken to someone at Public Works, and that individual had encouraged him to go to the Port with his request. Commissioner Slinden said she would prefer that he also talk with the Planning Department. Commissioner Tapert said again that if the Port had the two pieces of information, they could entertain a motion to accept an offer for easement. Commissioner Slinden said at this point there is a tentative approval of the concept, but they don't have enough information to go beyond that. Anger said that made sense and thanked the Commissioners for their input.

4. ACCOUNTANT REPORT:

A. Financial Statement: The Commissioners acknowledged the August 2008 Financial Statement, which had been mailed to them previously (**EXHIBIT B**).

5. PROJECT ACTION ISSUES:

A. South Whidbey Harbor:

1. Funding Opportunities:

a. Rural County Economic Development Fund (RCEDF) Application Status: Ed said he and Dane had presented the Port's RCEDF Application to the Council of Governments (COG) on September 24. He said it was a good presentation and they were pleased with how it went. He said Langley Mayor Paul Samuelson had provided great support at the meeting and did an excellent job of presenting a unified front. A Port of Coupeville commissioner said the presentation was very well received. The COG encouraged the Commission to be active in COG and to stay active. There are positive rumors that the Port will get the money. The timing of the decision is very interesting. Commissioner Tapert said it probably won't be decided until after the election on November 4th, because the levy's passage would make a big difference. He noted that Freeland Water District has also applied for \$2.5 million for the sewer extension, which

means both requests are from the south end of Whidbey Island. He thinks if the Port's levy lift passes, the Port might not get the funds but if it fails, the Port will be in a stronger position. Ed agreed.

b. Island County Hazard Mitigation Plan Update: Ed reported he ran into David Hollett, Island County Director of Emergency Services, in Langley. Hollett said their kickoff meeting for the biennial update of the Critical Infrastructure Plan is on November 13th. Once the Plan is updated and includes the Langley deepwater dock space as the Port's primary concern for emergency preparedness, the Port should then be qualified to pursue Federal Emergency Management Agency (FEMA) grants for the deep water access. The City of Langley is also excited about updating their plan as well to include deepwater access/emergency preparedness. Ed explained that the Critical Infrastructure Plan is essentially an inventory of critical facilities in Island County and in all of the local jurisdictions within the County, and also identifies each jurisdiction's priorities for emergency preparedness. Ed said the explanation of priorities and the obvious needs of the existing facilities are then used to seek FEMA funds.

c. Fiscal Year 2009 Community Leased Marine Debris Prevention and Removal Project: Ed said he had just learned of this grant opportunity, and Dane is looking into it. Dane said the applications that get the most attention are those that have multiple non-profits and/or community organizations involved. Setting up the group to be an effective advocacy is going to take some effort. The application is due at the end of the month and it is a two-year cycle. The maximum amount of the grant is \$250,000. Commissioner Slinden asked what the project would be, and Dane said, "The removal of the Hein dock and the tires."

Ed said Joe Callahan of GeoEngineers had reported on his conversation with Doug Thompson of the Washington State Dept. of Fish & Wildlife (WDFW). The Commission's decision to reject the Department of Natural Resources (DNR) offer to remove the Hein dock was validated because Thompson acknowledged that WDFW could not have given mitigation credits for the removal if it was paid for by another state agency. Commissioner Tapert asked if this grant opportunity is different because it is federal money used to get state credit, and Dane said he hasn't found anything that would not allow the Port to get mitigation credits if federal dollars are used.

Ed said Thompson also acknowledged that any final direction on project scope would be waiting until after the election on November 4th, so the mitigation for the temporary moorage will not be addressed until later. The expectation is that the mitigation will probably be done as part of a bigger project, but the Port won't know what the project is until after the election.

Dane will continue to research the NOAA grant and mitigation vs. funding issues.

2. City Coordination:

a. Draft InterLocal Agreement (ILA) Amendment: Ed noted that the draft ILA Amendment (**EXHIBIT C**), which was distributed to the Commissioners earlier, has now been transmitted to Mayor Paul Samuelson and Director of Community Planning Larry Cort (as of 10/9/08). The only major issue "up in the air" is how and if the DNR tidelands will be addressed in the Amendment. The Port will simply allow DNR to proceed as long as the Port has a valid legal right to occupy the marina on January 1, 2009.

Commissioner Seitle said he was bothered by two items in the Amendment: 1) the Amendment referred to a DNR tidelands lease, and he feels it is really an aquatic lands lease, and 2) he said the tidelands area in front of the Schell/Puma property was not covered in the Amendment. Ed explained that they are actually covered in the Preliminary Title Report and will be included in the transfer and in the Legal Description. He said the Amendment is mostly complete, and will be completed once the additional technical language and description has been included.

Commissioner Slinden asked about why the City's metal ramp is not included in Paragraph 21 of the Amendment. Ed explained the 35-40 ft. ramp was rusty and "not worth it." She asked for an explanation of the additional lease fees mentioned in Paragraph 7, and Ed explained those are related to the breakwater because it sticks out beyond the current lease area. Dane said the added lease fee for that area would be approximately \$1,000 for 2008.

b. Wharf Street Design Issues: Dane provided copies of the large City of Langley Marina Uplands Concept Plan (**EXHIBIT D**). He explained that at the City Council meeting on Monday October 6, the Council directed City staff to proceed with the next steps for implementation of the general plan, but only the North part of it and not the Den Adel and other properties near the #10 on the plan. The Commission briefly discussed it and agreed the draft was a good general layout, and was very close to the Port's 2007 Master Plan Update concept. Dane noted that all the involved property owners have indicated they are in favor of a local improvement district. He will continue to attend the Wharf Street meetings and provide the Commission with updates.

3. Harbor Operations:

a. Harbormaster Hiring Update and Process Review: Ed reported they had received 15 applications. He broke them into 3 groups – one group whose qualifications were not a match, one group with some qualifications, and one group of well-qualified and applicants. Ed said the top group consists of just two individuals and they are both excellent candidates with diverse appeal who have strongly pursued the position. Ed recommended they interview those two individuals, notify the bottom group that they are not being considered, and notify the middle group that their application will be kept on file. Since the position of a harbormaster is "a key hire," Ed asked the Commission if they wanted to conduct the interviews with just one Commissioner or with all three present. He also recommended taking Commissioner Slinden's suggestion of having an outside expert, such as the Oak Harbor Harbormaster, sit in on the interview and ask specific questions related to the position. The Commission agreed that Ed and Commissioner Seitle would conduct the interviews along with the Oak Harbor Harbormaster, provided he is willing and available. Ed said he planned to schedule the interviews within the next couple of weeks and said he hoped to have the Harbormaster on board in early November.

B. Freeland Park:

1. Dock Repair/Replacement Coordination with Island County: Ed reported there had "finally been a little bit of progress." He spoke with Island County Planning Director Jeff Tate, who said he had found some repair money allocated in the budget for the Freeland dock. Ed met Tate for a walk-through at Freeland Park at low tide, and showed him the preliminary designs and estimated costs for individual float replacement, etc. With 8 flotation units per dock section and a total of 9 floating dock sections, if the units cost

\$1,000 each to furnish and install, all the units could be replaced for approximately \$70,000, which is less than it would cost to replace the whole dock. However, if the units have a cost of \$2,000 each, the total replacement would cost about \$150,000, which is comparable to the cost for an entirely new dock. Ed thought they should work with the County to come up with a scenario to get them going on maintenance and plan on 2-3 years' worth of repairs. Given that it's already about 15 years old, a typical 20-25 year design life would indicate replacement in 5-10 years. Ed said he is comfortable conducting life cycle cost analyses on the repairs and getting dock replacement costs, but he agreed with Commissioner Slinden's suggestion that the Port could take this opportunity to reevaluate its whole arrangement with the County regarding Freeland Park and the shared facilities. He suggested that this is a good opportunity to "look at the big picture." Commissioner Slinden said she would like to accompany Ed and Dane and go to the County to get some introductory ideas started. Commissioner Seitle agreed, but said he was concerned the ramp at Freeland might not be usable in the summer of 2009. Ed explained that 10-15 float replacements would cost \$10,000-\$20,000 for this year and next year, and with those the dock should be okay for 2-3 years.

Freeland resident Dennis Gregoire encouraged the Port to conduct a wind/wave analysis and forward the study to the County as soon as possible. In response, the Commissioners explained they would not be spending any additional funding until an agreement is reached with the County regarding the financial responsibility for each entity related to the repair or replacement of the dock.

C. Whidbey Air Park:

1. **Site Assessment Status Update:** Ed reported that David Ketchum of Airside, Inc. is well engaged in the site assessment. Ed is compiling a list of property owners for Ketchum's initial contact for notification as needed to study the airport.

6. ACTIVITIES/INVOLVEMENT REPORTS:

A. Economic Development Council (EDC): Nothing new to report.

B. Council of Governments (COG):

1. **Next meeting 10/22/08 in Skagit County (specific location TBD).**

C. Skagit-Island Regional Transportation Planning Organization (RTPO): Nothing new to report.

D. Marine Resources Committee (MRC): Commissioner Slinden said she attended the MRC meeting yesterday. Skagit River System Cooperative (SRSC) Research Director Eric Beamer reported on the status of the Possession Point estuary study. SRSC Research Biologist Aundrea McBride is still out on medical leave and they are waiting for the information she has gathered. Once it has been received, they will decide if Possession will be one of the two projects (out of 16) selected for habitat restoration.

E. Washington Public Ports Association (WPPA):

1. **Joint NMTA and WPPA Marina Seminar – October 15-16, Tacoma (EXHIBIT E):** Based on the agenda, it was agreed that no Port representative would attend the seminar.

2. BARS Accounting for Small Ports – Wednesday, October 22, Leavenworth: Port Clerk Molly MacLeod-Roberts was scheduled to attend this seminar. Costs will be shared with the Port of Coupeville, in consideration of their financial issues.
3. Small Ports Seminar – Thursday & Friday, October 23-24, Leavenworth: Dane was scheduled to attend the seminar.
4. Annual Meeting – Wednesday & Thursday, November 19-20, Tacoma: Based on the agenda, it was agreed that no Port representative would attend the seminar.
5. Vital Legal Tools (Open Meetings, Public Records, Economic Development) – Tuesday, November 18, Tacoma (EXHIBIT F): Ed said this seminar looked very helpful and interesting, and he would plan to attend.

F. Community Trade & Economic Development (CTED): Nothing new to report.

G. Holmes Harbor Shellfish Protection District (HHSPD): Nothing new to report.

H. Puget Sound Partnership (PSP): Nothing new to report.

7. OLD BUSINESS:

There were no Old Business items.

8. NEW BUSINESS:

A. Webcam Installation Proposal for Port Facilities: Ed noted that an unsolicited proposal had been received from WhidbeyWebcam.com (**EXHIBIT G**) Ed reported the proposal was delivered to the Port office on Monday. Commissioner Seitle noted there is nothing allocated in the 2009 budget for webcams. Commissioner Tapert felt the Port should do something, but not necessarily right away. He suggested they use Clinton as a test site since it is the least expensive for installation and has had the most vandalism. The Commission agreed, and Commissioner Seitle said he would prepare a Request for Proposal and directed Ed to select from the submissions.

9. EXECUTIVE SESSION:

There was no Executive Session.

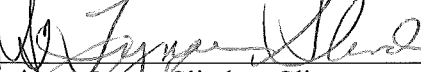
10. ADJOURNMENT:

The meeting was adjourned at 9:20 p.m.

Approved:



Commissioner Rolf Seitle, Langley



Commissioner Lynae Slinden, Clinton



Commissioner Geoff Tapert, Freeland

Minutes prepared by:



Edwin S. Field, Port Manager

- Exhibit A: Voucher Listing
- Exhibit B: August 2008 Financial Statement
- Exhibit C: Draft Amendment to the "InterLocal Agreement for the Transfer..."
- Exhibit D: City of Langley Marina Uplands Concept Plan
- Exhibit E: Northwest Marina Conference Agenda
- Exhibit F: WPPA Vital Legal Tools for Your Port Agenda
- Exhibit G: WhidbeyWebcam.com Proposal to Install