

**THE PORT DISTRICT OF SOUTH WHIDBEY ISLAND
SPECIAL MEETING**

Held at China City Banquet Room, 1804 Scott Rd, Freeland WA 98249
Friday, October 23, 2020 at 4:00 p.m.

AGENDA

SPECIAL MEETING CALL TO ORDER and PLEDGE OF ALLEGIANCE (4:00 p.m.)

**Resolution No. 20-02 Declaration of Local Emergency and Delegation of Authority –
Clinton Dock**

Letter of Understanding for Project Administration

Clinton Dock

2021 Budget

**Executive Director's Emergency Powers and Spending Authority due to COVID-19
(Resolution No. 20-01)**

ADJOURNMENT (Approximately 5:00 p.m.)

PORT DISTRICT OF SOUTH WHIDBEY ISLAND

Minutes of the Special Meeting

October 23, 2020

Freeland, Washington

Commissioners Present: Ed Halloran (Langley), Curt Gordon (Clinton) and Jack Ng (Freeland)

Port Staff Present: Stan Reeves (Executive Director), Molly MacLeod-Roberts (Port Clerk/Accountant), and Pat Kisch (Maintenance & Operations Supervisor)

MEETING CALL TO ORDER: The Special Meeting of the Port District of South Whidbey Island's Board of Commissioners was convened on Friday, October 23, 2020, in the Banquet Room of China City Restaurant at 1804 Scott Rd in Freeland, Washington. Although this Special Meeting was of course open to the public, due to COVID-19, attendance at such gatherings was discouraged. Additionally, the meeting was scheduled primarily for Commission consideration, discussion and action on those specific issues and public participation was not on the Agenda.

Commissioner Ed Halloran, President, called the Special Meeting to order at 4:00 p.m., followed by the Pledge of Allegiance

Resolution No. 20-02 Declaration of Local Emergency and Delegation of Authority – Clinton Dock:

Executive Director Stan Reeves explained that if approved, the resolution would allow him to bypass the RCW requirements for competitive bidding so the Port can get someone to take the dock out as soon as possible. The resolution is structured similarly to Resolution No. 20-01 (approved in March in response to COVID-19), with a not-to-exceed amount of \$50,000 for a single procurement and includes the requirement for Reeves to report any exercise of power/authority delegated under it to the Commission immediately and at the next regular meeting with an explanation. Commissioner Gordon noted that the **4. Termination** states the Resolution "*shall be reviewed as a regular agenda item on the Commission's agenda until such time as this Resolution is terminated.*" Reeves acknowledged that should also have been done for Resolution No. 20-01, and if Resolution No. 20-02 is approved today, both resolutions will be on the regular meeting agenda until they are terminated by law or further resolution.

ACTION: A Motion was made by Gordon and seconded by Commissioner Jack Ng to approve Resolution No. 20-02 as presented. The Motion passed unanimously.

Letter of Understanding (LOU) for Project Administration: Reeves had provided the Commission with a packet related to the Port's Island Regional Transportation Planning Organization's (IRTPO) Transportation Alternatives Grant, including an email from Mike Davis, the WSDOT Local Projects Program Manager for our region. The consulting piece of the LOU requires that the State is involved in the solicitation and selection of a consulting engineering firm and must provide approval, and the Port must use qualified consultants approved by the State for contract administration, inspection and materials testing. The email indicates that signing and returning the LOU is Step 1. Step 2 is making sure the money is in place in the Statewide Transportation Improvement Plan (STIP). Susan Driver (Island County Transportation Planner) had provided a table with that Phase Obligation Information, programming in \$75,000 for FY 2021 (the current FY which ends Sep 30, 2021), and \$25,000 for FY 2022 (Oct 1, 2021-Sep 30, 2022). The table also shows the Port's local grant amount, so between now and Sep 30, 2020, the Port could spend up to \$86,705 towards the consulting and another \$28,902 as of Oct 1, 2020. The remaining \$220,000 was originally scheduled for 2023-2025, but Driver said it is entirely likely that it will be moved up as other projects don't spend the full amount or they go away. Reeves said the \$100,000 is enough to get the project going. Gordon asked about the Local Agency Guidelines (LAG) referenced in the LOU. Reeves explained that it's several hundred pages of program management documents, and he will need management consultant help for that.

Gordon asked to move on to the next agenda item (Clinton Dock) and then return to Commission consideration of the LOU. The Commission agreed.

Clinton Dock: Reeves reported that Maintenance & Operations Supervisor has been extremely busy contacting everyone and coming up with a way to affordably remove the floats. Yesterday, they met with the Department of Natural Resources individual who has worked with Kisch before on removing creosote logs and other debris. He looked at the Clinton Dock and agreed it wouldn't last through the winter, but until it is actually a floating hazard or environmental hazard (Styrofoam breaking off, etc.), DNR can't take any emergency action. If it does break completely, they will come and take it away and will bill the Port for the removal. If the floats were on shore, DNR might be able to assist with hauling off the debris.

Meanwhile, Kisch had talked with Dunlap Towing in Everett and Nichols Brothers. Dunlap estimated it would cost \$5,000 to send a tug over to Clinton and tow the floats back to Everett. Then Nichols Brothers called; if the Port has the floats towed over to their Everett facility, Nichols will take them. The last piece needed is to disconnect the floats from the pilings. Combined Construction provided an estimate of \$17,605 for that work. Reeves and Kisch agreed that is too much and believe the Port can do the work in-house.

Kisch noted that the Port of Everett had been very supportive and would have allowed us to bring the floats to their facility and use their lifts to bring them out of the water to be hauled away. He added that Nichols would love to get the floats before November 9th.

Gordon noted that Resolution No. 20-02 grants Reeves the authority and they should go ahead. Reeves wanted to publicly thank Kisch for all his efforts.

Earlier that day, Reeves had logged into a webinar with the North Sound Transportation Alliance. Part of that included a briefing from PRSC (Puget Sound Regional Council) Program Manager Gil Cerise on the Passenger-Only Ferry Study. In late July/early August, the PRSC put out that the Everett-South Whidbey route as one of the alternate routes in Tier 1 (consisting of 47 routes). That list was whittled down to 36 in Tier 2 and then 18 in Tier 3. During the briefing, Cerise reported that the South Whidbey/Everett and South Whidbey/Seattle routes are on the Tier 3 list. The South Whidbey/Everett route will have a more thorough route feasibility analysis prepared since there aren't any current studies available. That analysis will be used to help determine the final 8 list that will go to the State Legislature at the end of January. The draft will be ready in mid-December.

Gordon reported that Lisa Lefeber (Executive Director, Port of Everett) had expressed that the Port of Everett would be happy to provide a dock for a passenger-only ferry at their facility. Hat Island is part of that Port District, and the new Hat Island Ferry (a 49' Catamaran) is almost done. Gordon asked Reeves to make sure the Hat Island Ferry knows that they are welcome anytime in Langley, and ask them to put our Clinton location on their radar, too.

Gordon noted that the Port of Everett has a Grant Administrator and "all they do is grants." Reeves is doing a fabulous job managing all of the process, but he needs help. Former Port Executive Director Angi Mozer is back in the area, and she has experience with grants. Although it wouldn't be reimbursable by the grant, he would like to hire Mozer to do all the paperwork for the grant and the Port would pay from its own pocket. Gordon feels it's going to get overwhelming for Reeves and there's plenty of other work and projects on his plate, and Mozer can take on all the grant paperwork. Gordon wanted Reeves to sign her on and get her involved right away and get the grant off his back. Reeves said he just needs to do some research and make sure he follows the process for a personal services contract.

Letter of Understanding (LOU) for Project Administration (continued):

ACTION: A Motion was made by Gordon and seconded by Ng to authorize Executive Director Stan Reeves to sign the Letter of Understanding for Project Administration with the Washington State Department of Transportation Northwest Region Local Programs Office as presented. The Motion passed unanimously.

2021 Budget: Reeves reviewed the recommended timeline for the budget process: First, the Commission will approve the Preliminary Budget for publication during the regular meeting on November 10th, Port Clerk/Accountant Molly MacLeod-Roberts will then advertise and announce that a public hearing on the 2021 budget will be held at the specified date and time followed by a Special Meeting during which the Final 2021 budget will be approved, and the final approved budget and resolutions will be delivered to the County by 2:00 p.m. on Wednesday, November 25th. The Commission agreed to hold the Public Hearing on the 2021 Budget and the Special Meeting at 3:00 p.m. on Tuesday, November 24, 2020 online via Zoom meeting service.

Per the Island County Assessor's Office, the Implicit Price Deflator (rate of inflation) for property taxes due in 2021 is 0.602%. Therefore, in order for the Port to increase the levy by the full 1% statutory limit, the Commission will need to approve a resolution stating a substantial need to increase the limit factor above the rate of inflation (to the full 1%).

Reeves put \$820,000 for Property Tax Income in 2021; the actual levy will be about \$814,000 so that gives the Port a \$6,000 "buffer." Gordon suggested increasing that amount because if the levy came in higher, the Port wouldn't be able to collect anything above the budgeted amount. Reeves had looked at what was actually received vs what was budgeted over the last 10 years. The Port never came close to getting more than budgeted, but that doesn't mean it won't happen and he'll consider adjusting it.

Resolution No. 20-01 Executive Director's Emergency Powers and Spending Authority due to COVID-19: Gordon wasn't sure that the Resolution is still needed since the Port is able to have an online meeting within 24 hours so the Commission would be able to quickly authorize any emergency power or spending. Halloran asked what is wrong with keeping it in place. Gordon noted that there has not been any misuse, but there are reasons for the hierarchy of authority and limitations on spending. Reeves suggested the spending authority could be modified, but the emergency powers for COVID-19 should be kept in place. The original resolution could be rescinded and a new one put in place for just the emergency powers. Gordon said if Halloran and Ng are comfortable with the way it is and it is discussed at each regular meeting, he's fine with that. Reeves reiterated that both Resolution 20-01 and 20-02 would be on the agenda for every regular meeting agenda going forward.

ADJOURNMENT: Without any further discussion or action, the Special Meeting was adjourned at 5:24 p.m.

Approved:



Commissioner Ed Halloran, Langley




Commissioner Curt Gordon, Clinton



Commissioner Jack Ng, Freeland

Minutes prepared and submitted by:



Molly MacLeod-Roberts, Port Clerk/Accountant

Public Disclosure Statement: The foregoing Meeting Minutes, audio recording and all supporting documents presented are available at the Port of South Whidbey, 1804 Scott Rd., Suite 303, Freeland WA 98249.



Commissioners Ed Halloran, Curt Gordon and Jack Ng approved the foregoing Minutes during the regular meeting of December 8, 2020, which was held online via Zoom Meeting