

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

Held via Zoom Meeting Service  
Tuesday, December 14, 2021 at 4:00 p.m.

**AGENDA**

Join Zoom Meeting

<https://us02web.zoom.us/j/82030157867?pwd=dy9KY09XYjlrVINCYXk3a3VlKytwUT09>

Meeting ID: 820 3015 7867

Passcode: 320620

One tap mobile

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Find your local number: <https://us02web.zoom.us/u/k79YZJfRj>

WORKSHOP (3:45 PM – 4:00 PM): Commission review of vouchers and recent correspondence

REGULAR MEETING CALL TO ORDER and PLEDGE OF ALLEGIANCE

COMMISSIONER ACTIONS

**Consent Agenda:** Approval of December Vouchers in the amount of **\$64,084.65** and Minutes from the Regular Meeting of November 9, 2021; and, the Public Hearing for the 2022 Budget of November 9, 2021.

**PUBLIC COMMENT** – *This is time set aside for members of the public to speak to the Board regarding any subjects of concern/interest, including items on the agenda. The Board will take all information under advisement, but generally will not take any action unless it is emergent in nature. To ensure your comments are recorded, please state your name and city of residence. Please limit comments to 5 minutes.*

EXECUTIVE DIRECTOR REPORT

**Financial Update and October 2021 Financial Statement**

**Clinton Dock/Surface Transportation Block Grant – Consultant negotiations**

**Shoreline Maintenance Permits – Update**

**Fairgrounds Capital Projects**

**Washington State Department of Agriculture Grant Award**

STATUS REPORTS

**Fairgrounds**

- Executive Director

**Port Operations**

- Maintenance & Operations Supervisor Report

**South Whidbey Harbor**

- Harbormaster Report

ACTIVITIES/INVOLVEMENT REPORTS

**Gordon:** Island Regional Transportation Planning Organization (IRTPO) and Clinton Community Council (CCC)

**Ng:** Council of Governments (COG), Economic Development Council (EDC), Washington Public Ports Association (WPPA) and Port-wide Marketing & Promotion Committee (M&P)

**Halloran:** Marine Resources Committee (MRC), City of Langley Council Meetings and Joint Parks Committee

OLD BUSINESS – Review of Emergency Declarations

**Resolution No. 20-01 Declaration of Local Emergency and Delegation of Authority – COVID-19**

NEW BUSINESS

ADJOURNMENT

**PORT DISTRICT OF SOUTH WHIDBEY ISLAND**

Minutes of the Regular Meeting

December 14, 2021

Held via Zoom Meeting Service

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

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

**MEETING CALL TO ORDER:** Following a Workshop from 3:45 p.m. to 4:00 p.m. for informal Commission review and discussion of vouchers and recent correspondence, the Regular Meeting of the Port District of South Whidbey Island's Board of Commissioners was convened on Tuesday, December 14, 2021, via Zoom Meeting Service. Commissioner Curt Gordon (President) called the Regular Meeting to order at 4:00 p.m., followed by the Pledge of Allegiance.

**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.

**Approval of Minutes:** Minutes from the Public Hearing for the 2022 Budget and the Regular Meeting of November 9, 2021.

**ACTION:** A Motion was made by Commissioner Jack Ng and seconded by Commissioner Ed Halloran to approve the Consent Agenda as presented, including the authorization and acceptance of Vouchers dated December 2021 as signed today in the amount of \$64,084.65. The Motion passed unanimously.

**PUBLIC COMMENT:** None.

**EXECUTIVE DIRECTOR REPORT:**

**Financial Update and October 2021 Financial Statement:** The Commission acknowledged receipt of the October 2021 Financial Statement which was distributed to them previously. Executive Director Stan Reeves reported the Port received approximately \$312,000 in operating, tax, and capital revenue and incurred \$161,000 in operating and capital expenses during October 2021. Ending cash balance at 10/31/21 was approximately \$1,562,000 consisting of \$696,000 in the Bond Fund and \$866,000 in the General Fund. Expenses across the board continue to be a little less than anticipated and revenues are just about what was projected. The "big winner" this year is **South Whidbey Harbor** which exceeded projections and will have a record year of revenue while simultaneously keeping expenses just below anticipated amounts. The Port still has a lot of cash on hand due to the delay of capital projects; Reeves hopes to spend much of that money early in 2022.

**Clinton Dock/Surface Transportation Block Grant (STBG) – Washington State Department of Transportation (WSDOT):** Reeves and Consultant Angi Mozer (Case Solutions) have been working with KPFF Consulting Engineers on the scope and the cost for Phase 1 Engineering. He reported they are very close to completing the contract. KPFF's original cost estimate came in about \$200K above the Port's budget, they've been working on trimming it down to about \$360K. They are almost there and Reeves hopes to have the contract signed by early January and get KPFF started on the project.

**Shoreline Maintenance Permits – Update:** There are still issues with Island County; the shoreline designation changed at some point in the last 5-6 years at Possession so the County now requires a Conditional Use Permit rather than a Shoreline Maintenance Permit. The County has determined that clearing the Possession boat ramp is now a “dredging operation” which may require additional study and will require additional scrutiny by the Department of Natural Resources so it could be another 120 days before the Port gets permits from Island County. And the Port has to have the SEPA Determinations of Non-Significance (DNS) from Island County before it can finish the Washington Department of Fish & Wildlife Hydraulic Project Approval permits. Reeves said it is entirely possible that the Port will receive permits from the U.S. Army Corps of Engineers before Island County.

**Fairgrounds Capital Projects:** Last week, Island County Commissioners approved the Port’s request to extend the Rural County Economic Development Fund grant through the end of 2022.

- **Coffman Kitchen:** The City of Langley has issued the building permits. When Rick Brown (The Brown Associates/Architects) returns from vacation later this week, Reeves will sit down with him and work out the final version of the specification document. It will mainly be the public works contracting language that has to be included for a project of this size, as well as specifications. Reeves explained they hope to make the specifications as generic as possible to keep the costs down. He hopes to go out to bid in January
- **Bathroom Renovations:** The Port was awarded the \$250K grant from Washington State Department of Agriculture (WSDA) Fairs Program. The money must be spent by June 30, 2023. The first grant from WSDA was used to help pay for the engineering and architect work. Reeves met with Davido Consulting Group (DCG) last week to discuss what’s needed for that specification document. He has some information requirements he needs to send back to DCG, and will need to sit down with Maintenance & Operations Supervisor Pat Kisch to identify the fixtures, dispensers, cipher locks, etc. so they are consistent with other Port facilities. The project could go out to bid as early as January, but will probably be a little later as Reeves would like to have the building permits from Langley in hand first. He has also talked to DCG about providing construction management for the project; they will provide a proposal for that work
- **Bond Fund Transfer:** Completed in November (\$30,185 from the Bond Fund to reimburse the General Fund primarily for the engineering on the bathroom renovations).
- **Potential for Workforce Housing on the Fairgrounds:** Reeves is working on obtaining a sort of legal assessment for the project. Gordon explained that the Port of South Whidbey could be on the cutting edge and setting precedent for port districts by building and owning workforce or other affordable housing. Ng explained that workforce housing was a big topic at the Washington Public Ports Association’s (WPPA) Annual Meeting that he and Gordon recently attended. Workforce housing is part of economic development, and the panel members provided a great deal of information, particularly Attorney Frank Chmelik and Ng suggested potentially hiring him as part-time counsel. Gordon explained that per Chmelik, other port districts already do affordable housing, but they lease their own property out and somebody else builds on it and maintains it. No other port district has built housing on port property for workforce housing for economic development and managed it. In subsequent discussion with Reeves, Chmelik indicated his firm could provide a legal opinion for about \$5,000. Then, when the Port applies for a planning grant from Island County, it will have that legal opinion in hand to answer any questions regarding whether port districts can do it. The Port could would not have to change its Port Attorney; it would simply retain the law firm for this particular purpose. Halloran agreed.

Gordon added that he had also enlisted WPPA Deputy Director (and legislative lead) Victoria Lincoln to come visit the Port before the next legislative session, and hopefully WPPA Executive Director James Thompson will as well. It would be great to have the Commissioners, Reeves and Mozer tour the Port facilities with them and ask them to help figure out how/where to get funding at the state level for the passenger-only ferry and workforce housing.

Ng asked if there was money in the budget to obtain the legal opinion as discussed. Reeves said the 2022 budget includes \$50,000 for consultants, so \$5,000 could come from that budget line item. And legal service contracts do not need to be “competed” – the Commission can just authorize Reeves him to spend \$5,000-\$10,000.

**ACTION: A Motion was made by Halloran and seconded by Ng to hire Chmelik, Simkin & Davis, PS to provide a legal opinion on workforce housing for the Whidbey Island Fairgrounds. The Motion passed unanimously.**

- **Hat Island Ferry Service:** The Port has been trying to coordinate another meeting with the interested parties to discuss more of the funding specifics with individuals from US Representative Rick Larsen’s office, Hat Island Association, Snohomish County, Providence Hospital, etc. However, Hat Island Manager Kim Gleason has been out of the country since Thanksgiving so it will be a while.

- **L&I No-Notice Inspection:** The Port submitted all the required documentation on time but has not received any feedback yet from L&I. The next Safety Meeting is scheduled for December 16<sup>th</sup> at the Fairgrounds. All the programs are in place and the Accident Prevention Plan and Hazard Communication Plan will be distributed to everyone on Thursday.

#### STATUS REPORTS:

##### **Fairgrounds**

Fairgrounds Director Report: Gordon asked if he has a timeline for hiring and if he plans to change the job descriptions. Reeves said he wants to eliminate some of the requirements in the job description. He thinks the position really needs to be a property manager person with some marketing skills that can help put on events and deal with tenants rather than an individual with a professional degree that will run construction projects. He’s thinking about advertising in late January/early February.

##### **Port Operations**

Maintenance & Operations Supervisor Report: Pat Kisch presented his monthly report on maintenance & repairs completed/ongoing/planned at Clinton Beach, Humphrey Road Parking Lot, Bush Point, Possession Beach Waterfront Park and the Fairgrounds. Two of the gangways at **South Whidbey Harbor** had to be repositioned on their tracks after the storms last month, and the feet on the D & E gangway were changed with new pads. Kisch made some repairs to the wellhouse at **Possession**. On November 20<sup>th</sup>, Possession Caretakers Jim & Jeannette Conover were awakened by a barge and truck traffic on the boat ramp. Nickel Bros House Moving had tied a large barge with two houses on it to one of the pilings for the boarding floats and were in the process of offloading one of them. They weren’t aware that they would not have been able to get across the small bridge, etc. and they finally realized they were in the wrong location. After the barge left, it was obvious that their activity had moved the outermost piling about 6-8 inches out of plumb. Pacific Pile & Marine will provide an estimate to conduct an inspection and assessment of the piling and give an estimate on the cost of repair/realignment, hopefully by the end of the month. Arbor Dreams took care of two trees on the Dorothy Cleveland Trail near Lupine Lane that were at risk of falling on nearby property – greatly reduced a large maple tree that had split in half last fall, and removed a larger grand fir that was dead. On that hillcrest there are several Grand Firs that appear to be dying off; perhaps from drought. Gordon recently learned that several of the Douglas Firs on his property had root rot and he encouraged Kisch to have an arborist look at Possession’s Douglas Firs as well.

##### **South Whidbey Harbor**

Harbormaster Report: Patrick Boin was on hand to present his monthly report. November was fairly weak in terms of transient moorage largely due to the storms. The inner harbor clocked winds at 54 mph. Boin had to “shoo” 10 people off of the gangway who wanted to watch the storm but it was NOT safe to be there. Boin just returned from vacation and said Assistant Harbormaster Kathy Myers is doing a great job - finishing up pressure washing the docks and working on new color-coded signage that will correspond with the sign on piling wall A Dock will have blue signs, B Dock will have green signs, etc. It will make it much more user-friendly for boaters to find their assigned slips. Gordon told Boin he’s doing a great job and it’s not just about revenue but also keeping expenses down.

## ACTIVITIES/INVOLVEMENT REPORTS

**Ng:** Council of Governments (COG), Economic Development Council (EDC), Washington Public Ports Association (WPPA) and Port Promotion & Marketing Committee (P&M)

**COG:** No report.

**WPPA:** The Annual Meeting was great; he thinks all the Commissioners and the Executive Director should always go to WPPA's meetings – they always learn something and provide great resources. Gordon agreed.

**P&M:** No report.

**EDC:** Ng missed the meeting last week, but attended the budget meeting earlier in the day.

[4:42 p.m.: Commissioner Jack Ng was on vacation and had to leave the meeting]

**Halloran:** Marine Resources Committee (MRC), City of Langley Council Meetings and Joint Parks Committee

**MRC:** Halloran reported changes in MRC staffing; Anna Toledo is leaving her position with Island County and Jenn Johnson is moving into her position. The work continues with the Needs Assessment Study and the Pinto Abalone project.

**Langley:** Did not attend and asked Langley Councilmember Thomas Gill to provide a report. Gill said the City meetings in November and December are mainly focused on the budget. There was some discussion about the Coles Valley project (which if done in a timely fashion could in theory help with the affordable housing issue). Gordon asked how many homes and Gill believes there would be 200 units consisting of a mix of tiny houses, apartments and 2,000 sf homes. He added that the Port might be interested in another part of the project: Maker Spaces some light industrial, mixed-use spaces to allow people to build and contribute to the economic vitality of the Island.

**Joint Parks Committee:** No meeting held.

**Gordon:** Island Regional Transportation Planning Organization (IRTPO) and Clinton Community Council (CCC)

**IRTPO:** Meeting was cancelled.

**CCC:** The CCC continues to be very active. State Representative Dave Paul joined the meeting via ZOOM and discussed the WSDOT "trail" project (to improve the walkway down to the Clinton Ferry. Gordon believes most of the work will benefit the area between the bottom of the stairway of the Port's parking lot on Humphrey Road and the ferry, but the walkway improvements will go all the way to the Park & Ride by the post office. Gordon put his pitch in to Representative Paul for passenger ferry service and affordable housing.

**WPPA:** Gordon added that there was a phenomenal economic speaker from Windermere. Gordon said the housing situation is much bleaker than people realize and the affordability problem is in nearly every county in the state. Someone making the median income will fall \$60,000 short of qualifying for a loan for median home, and a first-time homebuyer making median income will fall \$120,000 short of qualifying for a loan for a median home. Gordon said, "*Anything the Port can do as a public agency to help with that, we need to be focused on.*"

OLD BUSINESS – Review of Emergency Declaration

**Resolution No. 20-01 Declaration of Local Emergency and Delegation of Authority – COVID-19:** The Commission agreed no action needed at this time.

**NEW BUSINESS:** Kisch reported the boarding floats at the Freeland Park ramp have been barricaded and roped off. Although the Port is not required to do any of the maintenance, Gordon said Kisch or Reeves should contact the County to find out what's going on.

ADJOURNMENT: Without any further action, the Meeting was adjourned at 5:01 p.m.

Approved:



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Commissioner Curt Gordon, Clinton



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Commissioner Jack Ng, Freeland



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Commissioner Ed Halloran, Langley

Minutes prepared and submitted by:



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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 Curt Gordon, Jack Ng and Ed Halloran approved the foregoing Minutes during the regular meeting of February 8, 2022, which was held online via Zoom Meeting.*