

PORT DISTRICT OF SOUTH WHIDBEY ISLAND

Minutes of the Regular Meeting

August 9, 2006

Freeland, Washington

Present at the meeting were:

Commissioner Lynae Slinden, Clinton
Commissioner Rolf Seitle, Langley
Commissioner Geoff Tapert, Freeland
Chuck Edwards, Port Accountant
Amber O'Brien, Port Clerk

Jeff Van Derford, South Whidbey Record
Laura Blankenship, Comp Plan Facilitator/Editor
Donna Keeler, City of Langley Planner
Bob Snyder, City of Langley Building Official
Jim Recupero, Langley City Council

Absent: Ed Field, Port Manager

1. MEETING CALL TO ORDER:

Following a Workshop session from 7:00 to 7:30 pm, the regular meeting of the Port District of South Whidbey Island's Board of Commissioners was convened on August 9, 2006, at the community meeting room at Trinity Lutheran Church, on Woodard and Hwy 525, Freeland, WA. Commissioner Slinden, President, called the meeting to order at 7:30 pm., followed by the Pledge of Allegiance.

2. BUSINESS MEETING – THE CONSENT AGENDA:

A. Consent Agenda -

1. Minutes: Draft Minutes from the Regular Meeting of July 12, 2006 and the Workshop of July 18, 2006.
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 Tapert and seconded by Commissioner Seitle to accept the Consent Agenda, including authorization of Vouchers #2746 - #2777 for a total amount of \$34,439.14. The Motion passed unanimously.

3. ACCOUNTANT REPORT:

A. Financial Statements: The Commissioners accepted the June 2006 Financial Statement **(EXHIBIT B)**. Chuck reported total revenues for June of \$8,247 and expenditures of \$270,440 of which \$243,368 was for Construction for the Clinton Beach Project.

B. 2007 Preliminary Budget: Chuck said that the preliminary budget for 2007 is due on September 15, 2006. Chuck will work with Port Manager Ed Field to develop a preliminary budget. Chuck requested that the Commissioners contact him with their input before the next Port meeting (9/13/2006). The preliminary budget will be presented at the September 13, 2006 regular Port meeting for review and approval. At that meeting, the Commissioners can choose an alternate date for the final budget adoption. Chuck recommended the first Monday in December 2006. The Board had no objections to his recommendation.

4. NON-AGENDA ITEMS / PUBLIC PRESENTATIONS:

None

5. PROJECT ACTION ISSUES:

A. Langley: (Re-ordered for clarity)

1. **Ramp & Park Project:** Donna Keeler and Bob Snyder from the City of Langley were present to distribute and discuss copies of the revised Ramp & Park project design to the Commission (**EXHIBIT C**). She reported that the shoreline permit that was initially approved by City of Langley in 2005 has been submitted to the Department of Ecology for their review and approval. She also reported that the City recently received a budget estimate of \$500,000, from Jason Henry of the Berger Partnership. That estimate is \$150,000 more than the City had originally budgeted for the project. The City decided to prioritize the elements of the project based on grant criteria. The top priority is the boat ramp, the second is beach restoration and landscaping and the third is ADA accessibility at the Park. They agreed to break the project into two phases, the first phase of which will be the component with the boat ramp, removal of the bulk head, beach restoration, and creating a parking lot. They are hoping to apply for additional funding from IAC for the second phase of the project, which will include paving, a kiosk, picnic tables and additional landscaping. The design revisions have been approved by the **PAD** and will be presented to the Town Council next week for their approval. Keeler said she anticipates construction to begin in January. Commissioner Seitle asked if the IAC would have a problem with the decision to leave the parking lot unpaved. Keeler said she had contacted Kammie Bunes of IAC, who said that it would not be a problem. Bunes mentioned that many IAC grant recipients were having trouble staying within their budget due to the rising cost of construction. Bunes also offered to research additional IAC funding possibilities to help assist with the Langley project, but has been unsuccessful so far. Commissioner Tapert asked if the unpaved lot would be ADA compliant. Bob Snyder said that the ADA parking and access to the boat ramp would be paved, therefore ADA compliant. Commissioner Tapert suggested paving the parking lot with concrete instead of asphalt, which is more cost effective. Keeler and Snyder agreed, and Keeler mentioned that colored concrete was a possibility. Commissioner Tapert said that the dye used for coloring concrete is not very expensive. Commissioner Seitle recommended pouring the concrete for the parking lot and the boat ramp at the same time to help save on the overall cost. He said he had concerns with the revised plan and said that it is significantly different than the original plan. He said it now seems that the Port is going to be paying matching funds on a plan that is no longer being used. Snyder said that the key elements of the plan are still in existence, but due to the rising cost of construction, the City has had to cut out or delay some of the plan elements. They want to proceed with phase one of the project, and when they receive additional grant funding, they will implement the second phase. Commissioner Seitle

said that with all of the missing elements including the kiosk, turn-around area and plaza, it is now just a basic boat ramp design with more parking. He said that this new design basically removes Phil Simon Park and wondered if Phil Simon's grandson had viewed the design revisions. Keeler said that Phil Simon's grandson was very happy with the new design and at the last Langley City Council meeting he had requested that a sign be placed in the new Park to honor his grandfather Phil Simon. Commissioner Slinden said that the initial intent of the Port's agreement with the City was to improve the boat ramp, and the revised design accomplishes that. She noted that the proposed gangway will also be an improvement for people using the boat launch. She acknowledged that, with the high cost of construction, postponing some of the smaller elements of the initial design was the only alternative for the City. Commissioner Tapert said he wanted to ensure that the turn-around area was large enough to accommodate fire engines and fuel delivery trucks, which would require a 40' radius turn around. Snyder said that issue had been considered during the planning process and assured the Commission that the turn-around would accommodate large trucks. Commissioner Slinden asked if the Fire Department had reviewed the revised plan. Snyder said that he was unsure if the Fire Department had viewed the revised plan yet, but would certainly make sure they did. Snyder also said that he is the Fire Marshall for the City of Langley and he made sure the plan followed the International Fire Code (IFC). Commissioner Seitle asked where the City was standing with the permitting authorities. Keeler said she was hopeful that the Langley City Council would approve the revised shoreline development permit next week. She noted that the City's design team has also hired an organization called "Adopt a Stream" to prepare the planting and monitoring plan and should have it by early next week. The planting and monitoring plan is to include a five-year monitoring component. The City would contract with schools and have students and Science teachers involved in planting and monitoring the plants on a yearly basis. Once all of the information is compiled, Keeler will forward it to the US Corps of Engineers who are the liaison for the US Fish and Wildlife and the National Marine Fisheries Service. Keeler said she was hopeful to have all of the permits by the end of September 2006. Commissioner Slinden asked when should the Port expect an invoice from the City for matching funds. Keeler said that she would ask Debbie Mahler who handles the billing for the City and will report back to the Port. Commissioner Seitle said that the Port promised to match funds from the IAC and he did not understand why the Port would pay the City before they receive IAC funding. Commissioner Slinden explained that the Port pays its share on behalf of the City, and IAC matches the funds paid by the Port. Snyder mentioned that they had revised the estimated budget for the project and it was lower than the original estimate. The Commission requested a copy of the revised project budget. The Commission had no further questions and thanked Keeler and Snyder for the presentation.

2. Transient Float Expansion: The Commission had received a revised proposal from Reid Middleton for the next aspect of the transient float expansion project feasibility study **(EXHIBIT D)**. Commissioner Tapert said that he was under the impression that the Commission would have an opportunity to discuss the new proposal with Reid Middleton and provide "mid course" direction before moving ahead with their proposal. He was disappointed to receive their bill, which is equal to their entire budget for completing phase one of the study. The amount proposed by Reid Middleton to finish the project is acceptable, but he recalled the understanding with Reid Middleton was that they were going to meet with the Commission before moving forward with the proposal. Commissioner Seitle said that the Port has now moved away from a fuel dock study and is now going to be studying the expansion of a transient pier. He has always been in favor of expanding the transient pier because of the revenue-producing potential, but

said he was concerned that the decision (to expend Port funds to purchase a surplus bridge structure) would have to be made very quickly by the Port without an existing agreement with the City of Langley for an expanded transient float. Also, the facility would have to be located in DNR waters and the Port does not have the water rights for that. He said the Port should clarify these issues before the making any major engineering or design commitments. Commissioner Tapert said that it was his understanding that the once the Port had received a completed feasibility study and final report from Reid Middleton, they could present those documents to the City of Langley and discuss the possibility of an agreement or an ILA. Commissioner Slinden agreed with Commissioner Tapert. Commissioner Seitle had concerns with spending over \$10,000 in Port funding on a feasibility study without knowing the revenue producing potential. Commissioner Slinden said that there is an indication from the City that the facility would have the potential to produce revenue. Commissioner Seitle would like to see a more firm opinion from the City of Langley on how the Port/City cooperation will work, including signed documentation. Commissioner Tapert said that is why the Port needs the feasibility study before going to the City of Langley for an agreement or an ILA. Commissioner Seitle said that it should be the City of Langley's responsibility to establish feasibility not the Port's responsibility. Commissioner Tapert said that it should be the responsibility of both the Port and the City of Langley. Commissioner Seitle said that he would vote in favor of the proposal from Reid Middleton but he wanted to point that more information is needed regarding the Port/City relationship with respect to the facility. Commissioner Tapert said that the feasibility study will help to identify the project costs and the Port can work with the City to delegate those costs. After further discussion, the Commission agreed to approve the proposal from Reid Middleton.

ACTION: A Motion was made by Commissioner Tapert and seconded by Commissioner Slinden to approve the revised scope of work from Reid Middleton, based on their August 4, 2006 proposal, and give them authorization to continue with the feasibility study.

Commissioner Seitle suggested that the motion be modified to request that Reid Middleton's scope of work also include cost estimates, alternate approaches to fuel dock construction and the impacts of sea and other conditions on the fuel dock. He would like to get a "real" engineering estimate from Reid Middleton with a cost break down. Commissioner Slinden said that the Port could request a cost break down from Reid Middleton. Commissioner Tapert said that the motion does not need to be modified because engineering due diligence requires Reid Middleton to provide that type of information to the Port. The original estimates from Reid Middleton were very rough because they were looking at three possible alternatives for the facility. Commissioner Tapert expects to see an itemized cost estimate in their final proposal.

The Motion passed unanimously.

Commissioner Slinden requested Port Clerk O'Brien to ask Port Manager Ed Field to notify Reid Middleton that the Commission approved their proposal.

6. COMPREHENSIVE PLAN ISSUES:

A. Comprehensive Plan Facilitator Resignation: Laura Blankenship submitted her letter of resignation to the Port Commission. **(EXHIBIT E)** Commissioner Seitle said that he was

disappointed that Blankenship had chosen to resign. Blankenship said that she was convinced that there is insufficient unanimity in terms of the mission, values and visions for an expedited process to update the Comprehensive Plan. She recommended that the Port consider a longer Comprehensive Planning process with more community involvement. Commissioner Seitle said that over the past few years, the Commission has had some differences of opinion and problems. He said it is up to the Commission to come to a “meeting of the minds” and communicate better. Commissioner Seitle recommended that the Commission hold a workshop to discuss mission, values and visions for the Comprehensive Plan. Commissioner Tapert said he was happy with the committee members and expected to have differences of opinion. It was his understanding that the Port would take information from the committee members and meld the mission and value statements toward the end as opposed to having unanimity first. He would like to continue to move forward with the Comprehensive Planning process, noting that it would be nice to have the Comprehensive Plan finished by the end of the year but if it takes until next spring or summer, it would still be finished in time for the Port to apply for grants. Commissioner Tapert said that he was also sorry that Blankenship has chosen to resign. Commissioner Slinden echoed her fellow Commissioners sentiments regarding Blankenship’s resignation. She said that if more time is needed to finish the new Comprehensive Plan, the Port could use the existing Plan when applying for grants and if necessary, the existing Plan could be modified or amended. She would also like to see the timeline extended to allow for more community involvement in the Comprehensive Planning process. Blankenship said that people in the community she has spoken with all want to participate in the Comprehensive Planning process. Commissioner Seitle suggested that the Commission hold a workshop with the Comprehensive Plan committee members to discuss missions and values for the Plan. Commissioner Slinden said that the Commission should not persuade the committee members in any way. It is the job of a facilitator to meet with the committee members and act as a liaison to the Port Commission. Commissioner Tapert suggested the possibility of creating a survey to help obtain additional public input. The Port needs to have public outreach as a part of the Comprehensive Planning process and needs a facilitator to help coordinate that process. The next step will be for the Port to hire a new Comprehensive Plan Facilitator/Editor. The Commission agreed to place an advertisement in the newspaper for a Comprehensive Plan Facilitator. Blankenship suggested that the advertisement be revised to include more detail on the scope of work.

ACTION: A Motion was made by Commissioner Tapert and seconded by Commissioner Slinden to immediately place an advertisement in the newspaper for a Comprehensive Plan Facilitator, and direct Ed to work on a more detailed scope of work.

Commissioner Seitle said that in his experience, a committee should first establish the “terms of reference” for the committee, and then appoint a coordinator to take the terms of reference and coordinate the input from the committee members.

The motion passed unanimously.

7. ACTIVITIES/INVOLVEMENT REPORTS:

A. Economic Development Council (EDC): Commissioner Tapert said that the EDC has not met in the past two months, with the next EDC meeting on Wednesday August 16, 2006. Commissioner Tapert said he was bothered by the lack of participation by the EDC in economic development on the South end of Whidbey Island. He has spoken to members of the community from South Whidbey who will no longer participate in the Trade Fair

because of its location. If the Trade Fair could be on a rotating schedule, switching from the South to North end of the island, there would be more participation from South Whidbey businesses. Commissioner Slinden said that this is a good opportunity to look at the Port's role in economic development on South Whidbey, especially with the Comprehensive Planning process coming up. The Port could choose to no longer be involved with the EDC. Commissioner Seitle said he had attended the first trade fair that was held on South Whidbey, which did very well. The fair has now been moved to Coupeville and the Port's only involvement is to provide funding to the EDC. Commissioner Tapert suggested asking the Chambers of Commerce if they would participate in a South End Trade Fair. Commissioner Slinden suggested involving the Coupeville Port as well. Commissioner Tapert will bring up South Whidbey's continuing concerns with the Trade Fair location at the next EDC meeting.

B. Council Of Governments (COG): Commissioner Slinden said that there have been no COG meetings in the past few months. She is hopeful that the Port will apply for 0.08% funding next year.

C. Regional Transportation Planning Organization (RTPO): No Update.

D. Marine Resources Committee (MRC): Commissioner Seitle said that Dan Peterson of the MRC would be working with Ed to develop two 3 X 4' side panels displaying the South Whidbey and Possession Sound area. The educational panels will show the background and history of Possession Sound, the entrance to the Saratoga Passage, geographical and geological data and marine life data. The signs should be ready within the next six to eight weeks for placement in the middle display panel at the Clinton Beach Park. Commissioner Slinden said that the central panel is intended to display economic development project information. Commissioner Seitle said he was not aware of that and the Commission would need to agree on another venue for the educational displays. After further discussion, the Commission agreed to have Ed work with Dan Peterson on an alternate location for the educational displays. Commissioner Seitle went on to report that the Snohomish County Public Utility District No. 1 (PUD) had recently applied for preliminary study permits to investigate the environmental impacts of generating electrical power with underwater turbines in Island County waters. The MRC had asked Commissioner Seitle to draft a letter for the Island County Commissioners to sign, asking Snohomish County PUD to keep the MRC informed of all developments with respect to this application. Commissioner Seitle will keep the Board informed on the issue.

E. Washington Public Ports Association (WPPA): No Update.

8. OLD BUSINESS:

None

9. NEW BUSINESS:

A. Policy for Sales in Port Parks: Commissioner Slinden reported that on a recent visit to Clinton Beach Park, a young lady and her mother were selling lemonade on the bench in front of the information booth, and were blocking the information booth with their lemonade stand. Commissioner Slinden recommended that the Port establish a policy for commercial sales at Port facilities. Commissioner Tapert suggested that the Port develop an application

and charge a permit fee for commercial use of Port facilities. The Port Manager could be granted authority to approve or disapprove the applications. Chuck Edwards said that most State Parks do not permit vendors. Commissioner Seitle said that the Port has two options, the first would be to require commercial activities that involve any kind of selling or solicitation to the public to have an application approved by the Port and pay a permit fee. The second option would be to prohibit all commercial and solicitation activities at the Park. Commissioner Slinden was in favor of prohibiting all commercial activities at the Clinton Beach Park. The Commission agreed to have Ed draft a policy relating to commercial activities at Port facilities.

ACTION: A Motion was made by Commissioner Seitle and seconded by Commissioner Slinden to prohibit all commercial and solicitation activities on Port properties. The Port reserves the right to make exceptions, which will require a special permit. The motion passed unanimously.

10. PUBLIC COMMENT:

Jim Recupero, a Langley resident and City Council member, asked if it was a possibility to have a fuel dock and a transient ramp together. Commissioner Seitle said that it was the original intent of the Port to have a fuel dock and transient pier together, but according to the preliminary study from Reid Middleton; a stand-alone fuel facility was not financially feasible.

11. EXECUTIVE SESSION:

There was no Executive Session.

12. ADJOURNMENT:

The meeting was adjourned at 8:55 pm.

Approved:

Minutes prepared by:

Commissioner Lynae Slinden, Clinton

Amber O'Brien, Port Clerk

Commissioner Rolf Seitle, Langley

Commissioner Geoff Tapert, Freeland

Exhibit A: Voucher Listing
Exhibit B: June 2006 Financial Statement
Exhibit C: Phil Simon and Langley Boat Ramp Improvements (Phase One)
Exhibit D: Reid-Middleton proposal "Supplement #1 Phase II Fuel Float Study", dated 8/4/06
Exhibit E: Letter of Resignation from Comprehensive Plan Facilitator Laura Blankenship, dated 8/7/06