

## PORT DISTRICT OF SOUTH WHIDBEY ISLAND

Minutes of the Special Meeting

June 25, 2008

Freeland, Washington

### **Present at the meeting were:**

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

Joe Murphy, Clinton Resident  
Robert F. Henry, Art Anderson Associates  
David Powers, Clinton Resident  
Jeff VanDerford, South Whidbey Record  
Greg York, Art Anderson Associates

**Absent:** None

### **1. MEETING CALL TO ORDER:**

The Special Meeting of the Port District of South Whidbey Island's Board of Commissioners was convened on June 25, 2008, at the Port office in Freeland, WA. As announced, the purpose of the Special Meeting was to conduct a design review workshop for the South Whidbey Marina Project. Commissioner Seitle, President, called the meeting to order at 9:08 a.m., followed by the Pledge of Allegiance.

### **2. PROJECT ACTION ISSUES – Staff Report, Public Comment, Commissioners' Discussion:**

#### **A. Design Review Workshop for the South Whidbey Marina Project:**

1. Design Parameters: Rob Henry and Greg York of Art Anderson Associates (AAA) were on hand to discuss their Review of Design Parameters dated 6/20/08 (**EXHIBIT A**). Commissioner Seitle said the major issues raised during the Port's various meetings were the adequacy and viability of the breakwater and the basic layout of the marina, including location of entrance. York said no matter how many different options are looked at, there are basic, fundamental parameters that essentially ground those options to the point where they are realistic and truly "doable." The Review goes through those parameters that essentially drive the options, and the biggest driver is the breakwater, since the Port owns it and needs to achieve the highest and best use for it. AAA believes the optimal position for the breakwater is on the north side, where it will give "the best bang for the buck." That is also the breakwater's most survivable orientation. He noted that suppliers have indicated the proposed wave attenuators for the east side are readily available for purchase.

Commissioner Slinden asked if York was still convinced an additional attenuator is needed between the breakwater and the attenuator on the east. York said yes, if the entrance is to the north. Commissioner Slinden asked if connecting the breakwater and attenuator and

having a southeast entrance is an option. York said the main concern for a southeast entrance is that boaters approaching the harbor would be driving directly toward shallow water and would then have to make a 180 degree turn to come into the marina. If the boater makes a mistake, or gets caught by the prevailing north wind while maneuvering, the boat could run aground. It becomes more complex when the 2<sup>nd</sup> and 3<sup>rd</sup> fingers are added.

Commissioner Seitle asked what the water depth is on the east boundary area. York said it runs from a -15 to a -55, shelving into shallow water against the bluff face. Commissioner Seitle thought a southeast entrance would be preferable for weather conditions, unless there are problems with water depth. York said, "Provided we maintain a decent distance from the -15 contour to the first attenuator and provided the low water line is well-marked, there is no big problem." He added that if he had to vote for a northeast vs. a southeast entrance, it would be 55/45.

Commissioner Slinden asked if connecting the breakwater and the attenuator would be a bad connection. York explained the connected pieces would behave differently so if connected, he would prefer the breakwater connected with an angled deflection to the attenuator. Port Manager Ed Field noted that a right angle would shrink the harbor basin.

Commissioner Seitle provided his criteria for the configuration: 1) Configured to allow future removal of the old marina, 2) Accommodate some larger vessels (up to 150' length) with access to the shore, 3) Provide some facilities for small, non-motorized vessels, 4) Create moorage slips in general accordance with expected mix of vessels as established by BST Associates, and 5) Provide full protection and comfort to boats, floating docks and piers during the boating season, but limit the protection available during the winter. He proposed asking the Recreational Conservation Office (RCO) to transfer the RCO-funded lineal feet transient moorage to the new facility.

Additional discussion about the breakwater and different attenuator options ensued, including cost, location and various means of connection for required structural gaps. Rob Henry of AAA explained that typically the actual movement between is very small in a chain-anchored system. Depending on the tension in the chains and other factors, a typical watch circle would be 10 ft. +/- in any given direction. Commissioner Tapert asked if the existing breakwater could be lengthened by 130 ft. without overstressing the post tensioning sections. Henry said it is somewhat situational, and explained that in a primary beam-to loading condition, the length would have very little affect on its structural capacity, but in a longitudinal configuration, it makes a big difference. In general, he said if the breakwater is placed in the north position, adding length to it would presumably have very little effect to the structure itself and increasing the mass would tend to dampen the heave and sway motions. Commissioner Tapert calculated it would cost an additional \$2 million to extend the breakwater and have one continuous, rigid floating breakwater, and he said that would be his preference. York explained that AAA's designs were based on using the existing breakwater primarily to service public transportation needs, and the other attenuators were cost-driven and on a "use it if you can" basis depending on the weather.

Commissioner Seitle said he preferred the north side for the location of the existing breakwater, and said his preferred option at this point is Option D of AAA's Phase 1 options **(EXHIBIT B)**. He said it has the lowest cost. Commissioner Slinden said she also liked Option D. Commissioner Seitle noted that it doesn't provide as many slips in Phase 1 as some of the other options, but it provides sufficient lineal footage to double the lineal footage currently available for moorage. Commissioner Slinden said it would also allow

for the proposed exchange of transient/permanent slips. Port Financial Coordinator Dane Anderson said that RCO is looking for a proposal from the Port to justify the conversion of the existing marina to permanent moorage. As long as similar lineal footage is available for transient moorage for trailerable boats (up to 26 ft.), RCO is amenable to the exchange. Dane noted that the side ties on the breakwater and the attenuators are not powered, and they have not discussed that with RCO yet. The RCO money used to build the original marina was designed for trailered 26 ft. boats and Dane said that is “a day use – not a powered kind of use.” York said there are 7 risers included on the breakwater, so there is some power available.

York also noted that the number of slips is somewhat flexible because the assumption he made was based on BST Associate’s target average berth of 40 ft. They can actually be mixed and matched at different lengths.

Commissioner Tapert said that in his opinion, AAA’s fairway widths were more than generous. He said if the width was reduced and boats larger than 65 ft. are not allowed inside the marina (only on the outside of the breakwater), they could potentially get more moorage and that is his preference, in addition to have a longer, rigid breakwater. Commissioner Seitle suggested money could be saved if the attenuator was not connected to the breakwater, at least in the beginning. Dane said that would make the conversion of the permanent/transient slips difficult.

Commissioner Slinden noted that the City of Langley was amenable to a first phase option that was just the breakwater. She wondered if the City had indicated anything regarding acceptance or resistance to the additional structure in the current options. Commissioner Seitle didn’t think the City could have any objections, but they could certainly discuss it with them.

The Commission agreed that the best location for the breakwater is to the north. Henry provided technical details of the breakwater’s structure, including stability and risk issues. Commissioner Slinden asked if the Port could afford to do the plan that was accepted by the City with existing levy funds, and Dane said no. That original estimate for the uplands and the minimum Phase 1 was \$3 million, and the Port only has \$1.3 million. Commissioner Seitle said they need to start permitting and to ask for the money now – they cannot wait until they are at the 25% design stage. He said the Commission needs to decide which option to develop.

**ACTION: A Motion was made by Commissioner Slinden and seconded by Commissioner Tapert to expand the marina as shown in Option D for \$9 million through a levy lid lift specifically for the South Whidbey marina project and limited to 20 years.**

Commissioner Tapert asked what the levy rate would have to be, and Dane said the minimum levy increase for Option A would have to be an additional \$0.08 per \$1,000, but he was not comfortable with saying that would be sufficient for Option D, which has fewer slips and therefore less operating revenue. He would need to re-run the model before giving a definitive answer. Additional discussion followed regarding possible levy lift amounts and limits.

York asked to make a suggestion prior to voting on Option D. In response to Commissioner Tapert’s concern regarding the channel width, York said the width could be optimized by selecting something between Option B and Option D. That would provide

flexibility on the widths and the ability to adjust the slip size to increase the number of slips and the marina's revenue.

**Commissioner Slinden said she would modify her Motion for clarification and Commissioner Tapert, who seconded the Motion, agreed to this modification:**

**ACTION: A Motion was made by Commissioner Slinden and seconded by Commissioner Tapert to approve the preparation of a resolution for a temporary levy lid lift for the special purpose of construction of the Modified Phase 1 of the South Whidbey Marina in the amount of \$9,000,000 over a time period of 20 years, or until said purpose has been accomplished, whichever comes first.**

Ed asked Henry and York if they had enough to "drive on with design." York said there should probably be more clarifying discussion, but his understanding is that the Commission is directing AAA to work on something between Options B and D. He added that any of the options can be pared back to "an extreme bare bones" Phase 1, such as they had before.

The Commission briefly discussed other possible funding. Regarding the levy lid lift, Commissioner Tapert said that the Port has a timeframe, an amount, and a project. He said it is important that the ballot measure includes the explanation that once the project is paid for, that rate goes away. Ed said the prototype for the ballot included the phrase, "...or until said purpose has been accomplished, whichever is first."

Commissioner Slinden asked York if he would have something prepared for the Commission by the next regular meeting on July 9<sup>th</sup>. York said yes, if it was at the same level of sketch as Options A-D. Commissioner Seitle said he would like it to be a scale drawing and would like to see the water depths included. York said he would work with Dane and Ed to fine tune and optimize it.

Ed asked the Commission if they wanted to address the four design questions attached to the agenda (**EXHIBIT C**). The Commission agreed to wait until the regular July meeting, when they've had one more opportunity to review the plan. Ed was directed to include the questions on the agenda for that meeting.

**Commissioner Seitle called for a vote on the Motion as modified, and the Motion passed unanimously.**

Commissioner Slinden asked Henry and York if they were okay with the direction, and York said he was fine with the direction, but concerned about a July 9<sup>th</sup> deadline. He said they need time to work the details so the layout comes out right, and that deadline allows only 6 working days. Commissioner Slinden explained they need to know what they're doing in order to get it on the ballot. Commissioner Tapert didn't think they necessarily needed to have the design finalized to be on the ballot, but they do need to have the ballot measure prepared and filed by August 12<sup>th</sup>, indicating the rate increase, the total amount and time period of the levy lift. The Port then has until the election to "zero in" on the project. Commissioner Slinden was concerned a surprise could occur and \$9 million might not be enough. York said that since \$9 million was the highest priced option, \$9 million will be enough for the construction cost. Construction administration, additional design, permitting fees, etc. would also be involved. York noted that the 25% contingency included in the estimates is there to protect from "surprises."

**David Powers, Clinton resident:** Powers suggested the Port consider the following in design: 1) The Port could have 2 to 3 times as many boats stored there by providing on trailer storage using either the Island County Fairgrounds or the Langley Middle School parking lot, with paid staff to launch and retrieve the boat. 2) The Port could provide dry storage stacks. Powers said such storage is self-supporting and entrepreneurial. 3) South of the marina, the Port could get additional revenue by providing buoy facilities. Commissioner Seitle explained that the Port has looked at dry storage, and although it would be very nice, the Port does not have enough land to do it. With respect to buoy facilities, the Port would have to have a Department of Natural Resources (DNR) lease for that area. The DNR requires the Port to have ownership, control or have approval for the use of the upland areas that are directly facing the DNR leased areas. Regarding the possibility of trailered storage, Commissioner Slinden suggested that Powers talk with the owners of the fairgrounds and the City of Langley as well as Island County, because they are the ones with jurisdiction and ability. Powers suggested leaving the fairway large so the Port can have end ties against the breakwater – the Mediterranean moorage system. Commissioner Slinden explained that there are a lot of uplands issues, including access, circulation and parking issues. Powers said the addition of trailered storage for 50 boats and dry stack storage for another 30 boats might positively influence the vote in November. Commissioner Slinden explained that the Port does not have anywhere to put that storage – the Port doesn't own any of that other land and the Port does not have any agreements with any other landowners. She said they might consider it in Phase 2, but they are focused just on Phase 1 right now.

Commissioner Seitle asked York if the breakwater could be used for the Mediterranean-type moorage system, and York said, "Absolutely." He cautioned that most American boaters just aren't comfortable with it, because you are "snug up against your neighbor" and lines often get tangled while going in and out. It is feasible, though, and it's a great system that gives a lot of moorage for less square footage of water.

2. Project Funding: The discussion of project funding was included in the first project action issue.
3. "Plan B" Discussion: Ed said if the breakwater is located on the north side as currently configured, then Plan B is a much more doable project, regardless of funding.
4. Direction to AAA (including Coast & Harbor) and GeoEngineers for design and permit preparation: Commissioner Seitle asked if more modeling is needed for inside the harbor. York said if Option B/D is refined to the Commission's satisfaction, it would be good to have Vladimir of Coast & Harbor run a model on that layout as a confidence booster and to obtain a comfort level. York said he would have an initial sketch of the Option B/D for the July 9<sup>th</sup> meeting, but would need more time for the refinement of it.

Commissioner Seitle said the articles in the South Whidbey Record implied that the Port doesn't know what it's doing or how much it is going to cost. He explained that where the Port is right now is normal for any engineering project of this type at this point in time. If the Port had all the answers, the project would be at the 25% design level. It is just not possible to get to that level before determining how to finance the project.

Commissioner Seitle added that he has some concern about the amount of money it has taken to get to this point, and he thinks the engineering costs have been a little high in light

of where the Port is in the process. He said he had expected a lot more decisive suggestions from AAA than they received. York pointed out that AAA doesn't make the decisions – the Port Commission does. Commissioner Seitle said he is critical of the amount of progress made versus the amount of money spent. In response, York noted that AAA's original direction was to design a 200-slip marina, and the Port's current direction to AAA is to design a 40-slip marina. That was the Commission's decision; not AAA's. York said AAA responded to the Commission's directions. Henry said they appreciate the Commission's concern. His response to that concern was that the Port's best and highest value really is at the concept level. Getting to a fully scoped-out project that makes sense and has general public acceptance is the highest value operation in the design process. Henry said whether a project comes to fruition or dies on the vine is determined by how well it is scoped at the front end. He hopes the Commission is realizing value in the money the Port is expending for engineering services.

**Jeff VanDerford, South Whidbey Record:** VanDerford asked for clarification of the Motion that passed. Commissioner Slinden explained it had three parts: The modified Phase 1 was labeled as the project, the dollar amount was set at \$9 million, and the time limit for the increase was set at 20 years or at payoff, whichever comes first. Dane explained that the key is that it is a limited purpose, temporary lid lift. VanDerford asked if the Commission would have an exact rate at the July 9<sup>th</sup> meeting, and Commissioner Slinden said yes and explained it would be driven by the design and the economics. Dane said it is important to note that it is a temporary lid lift and will sunset; it is not permanent.

**Joe Murphy, Clinton resident:** Murphy said he understands the Commission is trying to be really conservative and scale it down in order to best care for the taxpayer's money, but he thinks they have scaled it back too far. He said spending \$8-10 million for just 40 slips equates to \$200-300 thousand per slip, and "it's not going to fly." He suggests they incorporate as many slips in the first phase as possible in order to drive per slip costs down and benefits to the community up. Commissioner Seitle said Phase 1 contains most of the expensive hardware, and Phase 2 will benefit from that. Phase 1 has the infrastructure, so Phase 2 will be less expensive and grant financing will be available to remove the creosote structure, as well as other potential grant funding. The finger piers of Phase 2 will also be cheaper. He said the remaining major problem with Phase 2 is that the Port does not own enough land to support it. Ed agreed and explained that is the biggest driver as to why Phase 1 is not bigger than it is now. The Port is operating with parking, utilities and infrastructure limits as well as what Wharf Street will support and what the City of Langley will allow. Commissioner Slinden explained that the City is working on its uplands plan, and the Port has to conform to that. The Port cannot build out on the water beyond the capacity of the uplands. The Port has to wait until the City has its planning in place, but does not want to delay getting the breakwater in place and getting Phase 1 done in the meantime. The Port can add Phase 2 later, after the City has completed the planning process and put it in place. Murphy said he agrees, but if the Port can put two trees in Phase 1 of the marina, the cost per slip will go way down. He said the Port will have to sell the public on the economic benefit of the marina to the community. The Commission agreed and thanked him and Powers for their comments. The Commission also thanked Henry and York for attending the meeting.

**3. EXECUTIVE SESSION:**

After a 10-minute break, the Board of Commissioners went into Executive Session to discuss personnel issues at 11:18 a.m. The Executive Session concluded at 11:42 a.m.

**4. ADJOURNMENT:**

The meeting was adjourned at 11:43 a.m.

Approved:

Minutes prepared by:

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Commissioner Rolf Seitle, Langley

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Edwin S. Field, Port Manager

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Commissioner Lynae Slinden, Clinton

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Commissioner Geoff Tapert, Freeland

- Exhibit A: AAA's Review of Design Parameters dated 6/20/08
- Exhibit B: AAA's Modified Phase 1 Options A-D, BMI's Phase 1 and Phase 2 Estimate
- Exhibit C: Design Questions and list of deadlines prepared by Port Manager Ed Field