

PORT DISTRICT OF SOUTH WHIDBEY ISLAND

Minutes of the Regular Meeting

March 9, 2010

Freeland, Washington

Present at the meeting were:

Commissioner Geoff Tapert, Freeland
Commissioner Curt Gordon, Clinton
Ed Field, Port Manager
Dane Anderson, Port Financial Manager
Molly MacLeod-Roberts, Port Clerk

Judy Feldman, WSU Extension
Larry Webster, Clinton Resident
Micki Sulich, Clinton Resident
Debbie Webster, Clinton Resident
Richard Engstrom, Clinton Resident
Karen Krug, WICD
Ed Young, Whidbey Isl. Kayaking Co.
Linda Kast, Langley Resident
Sherry Jennings, Langley Resident
Elise Miller, Clinton Resident
Cynthia Patereau, Clinton Progressive Assoc.
Wally & Doris Taylor (for Clyde & Marcia
Monma, Clinton Residents)
Marilyn Klansnick, Clinton Resident
Doug Struthers, Clinton Resident
(Illegible), Clinton Resident
Phil Simon, Freeland Resident
Fred Lundahl, Langley Resident
And others not signed in...

Absent: Commissioner Chris Jerome, Langley

1. MEETING CALL TO ORDER:

The Regular Meeting of the Port District of South Whidbey Island's Board of Commissioners was convened Tuesday, March 9, 2010, at the South Whidbey Parks & Recreation Meeting Room at 5475 Maxwellton Rd., Langley, WA. Commissioner Geoff Tapert, President, called the Regular Meeting to order at 7:30 p.m., followed by the Pledge of Allegiance.

2. BUSINESS MEETING – THE CONSENT AGENDA:

A. Consent Agenda:

1. Minutes: Minutes from the Regular Meeting of January 13 and Special Meeting of January 6, 2010. Since Commissioner Jerome was not present at this meeting and Commissioner Tapert was absent from the January 13 Meeting, approval of the Minutes from that meeting had to be postponed until both Commissioner Jerome and Commissioner Gordon were present to do so.

ACTION: A Motion was made by Commissioner Tapert and seconded by Commissioner Gordon to approve the Minutes from the Special Meeting of January 6, 2010 as submitted. The Motion passed unanimously.

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 Gordon and seconded by Commissioner Tapert to accept and authorize Vouchers #4213 - #4244 for a total amount of \$30,994.35. The Motion passed unanimously.

3. **PUBLIC COMMENT – Including Items not on Agenda:** There was no public comment for items other than as noted below under Application for Funds.

A. Applications for Funds:

1. **Whidbey Island Center for the Arts (WICA), Application for Marketing Funds (EXHIBIT B):** No representative from WICA was present.

2. **Freeland Lions Club, Application for Irrigation Funding for Freeland Park (EXHIBIT C):** No representative from the Freeland Lions Club was present.

3. **Whidbey Farm Tour, Application for Advertising and Brochure Funds (EXHIBIT D):** Judy Feldman was on hand and thanked the Port for the previous support provided over the last several years. She presented the Port with this year's Farm Tour print, and reported that over 3,000 people attended last year's event. Feldman said the Farm Tour is more than just a 2-day event during the shoulder season of tourism – it is actually a mechanism for the Port to share its mission with farms: that of connecting the community to itself, increasing commerce in sustainable ways and also protecting the environment for future generations. By mechanism, she meant that the Tour increases the "local multiplier effect": When people come to the Island or people living on the Island go on the Farm Tour and purchase locally grown or locally made goods, that dollar they spent gets passed around 3-4 more times before it leaves the community. She summarized that the money spent on the tour therefore stays and strengthens the local economy. Feldman said the Tour also increases awareness about how agriculture fits into our quality of life and how it is part of a sustainable long-term community with "that rural character." The Farm Tour has worked hard to keep it as a free event, and feels it is important that it remains so.

Commissioner Tapert said their application is pretty much a continuation of what the Port has done in the past. As a point of information, Feldman added that there are currently 485 farms in Island County, and they need the Port's help for economic development.

4. **Choochokam Arts, Application for Advertising & Promotion Funds (EXHIBIT E):** Sherry Jennings of the Langley Chamber of Commerce was on hand and also thanked the Port for the support given last year. This is the 35th year for Choochokam Arts, a true non-profit. Since it is also the Chamber's largest fundraiser and the money goes right back into the business community, the two groups decided the Chamber should take on the event and merge with the Choochokam Board in order to provide better promotion and signage, etc.

Jennings reported that last year's Choochokam went very well, and there were artists who did better than they ever had in the past 10 years in one day. Chief Bob Herzberg of the City of Langley estimated the crowd attendance at 15,000.

5. Langley Chamber of Commerce, Application for Uniquely South Whidbey Trade Fair Promotion Funds (EXHIBIT F): Jennings was on hand again and thanked the Port for providing the great opportunity last year to promote South Whidbey businesses. The Chambers of Commerce from Freeland, Clinton and Langley held a summit in September and agreed to work together to promote South Whidbey businesses. Last year there were 23 vendors at the Trade Fair, and this year's goal is 50 vendors for the event (scheduled for June 5-6, 2010).

6. Clinton Progressive Association, Application for Promotion Funds for Clinton Mayfest at Clinton Community Hall (EXHIBIT G): Cynthia Patereau was on hand to represent the Clinton Progressive Association. She reported that the Clinton Community Hall has had many improvements over the last few years, and Mayfest is the Association's most important fundraiser. They are asking the Port for publicity money to help attract visitors to the Island for the event. She noted that they are also working with other organizations and businesses in the area to get them involved in the event. Elise Miller, President of the Clinton Progressive Association, pointed out that Clinton has only 2 public parks (Clinton Beach and Dan Porter Park) and only two public buildings (the Library and the Hall). She said, "The Clinton Community Hall is now the centerpiece of our active community, and it is really working – we have 10 public events scheduled in March." The Port's help in the past has been unbelievable and they were very grateful.

Staff noted that the budgeted amount for such applications for Non-Capital trade fair, sponsorship, tourism and economic development funding for 2010 is \$7,500. The requests submitted today total \$11,200. Port Manager Ed Field noted that Commissioner Jerome had submitted his written recommendations for the dollar amounts to be awarded to the applicants, and Commissioners Tapert and Gordon made their recommendations as follows:

	<u>Tapert</u>	<u>Jerome</u>	<u>Gordon</u>
1. WICA	\$1,500	\$1,000	\$1,000
2. Freeland Lions	400	400	400
3. Farm Tour	1,000	1,000	1,000
4. Choochokam	1,500	2,000	1,300
5. S. Whidbey Trade Fair	2,500	2,300	3,000
6. Mayfest	<u>600</u>	<u>800</u>	<u>800</u>
Totals	<u>\$7,500</u>	<u>\$7,500</u>	<u>\$7,500</u>

After a brief discussion, the Commission agreed on the following amounts to be awarded:

1. WICA	\$1,000
2. Freeland Lions	400
3. Farm Tour	1,000
4. Choochokam	1,500
5. Trade Fair	3,000
6. Mayfest	<u>800</u>
TOTAL	<u>\$7,700</u>

ACTION: A Motion was made by Commissioner Tapert and seconded by Commissioner Gordon to approve the requests as allocated per their agreement (and listed in bold above). The Motion passed unanimously.

4. ACCOUNTANT REPORT:

A. Financial Statement: The Commissioners acknowledged receipt of the January 2010 Financial Statement, which had been mailed to them previously (**EXHIBIT H**).

5. PROJECT ACTION ISSUES:

A. Possession Beach Waterfront Park:

1. **Proposed Cell Tower: Public Meeting** scheduled for 7 p.m. on March 15th at the **Clinton Progressive Hall**: Clinton resident **Larry Webster** said, “There is a large group of us here who would like to give public opinion input to the Port Commissioners this evening.” Commissioner Tapert reminded everyone that a public meeting on the topic would be held on March 15th, so he requested that they keep their comments brief this evening. Commissioner Gordon wanted to clarify that the meeting on March 15th was called **by the Port District** to gather information about the proposed cell tower and bring in opinions from the public, it has nothing to do with some formality required for the process of putting in a cell tower.

Larry Webster introduced himself as the spokesperson for the Port’s neighbors at Possession Park. He provided a copy of a letter he and the neighboring residents had received from Steven Berke of Goodman Networks (**EXHIBIT I**). In the letter, Berke invited them to attend the March 15th meeting and said that the meeting was co-hosted with the Port and would serve to meet the Island County Planning Department requirement for a community meeting for Type 11 Conditional Use Proposals for Communication Towers.

Webster said their questions were not for AT&T – they are for the Port Commissioners. The group believes that site from a consideration standpoint is inappropriate. He read aloud the statement they had prepared to express their opposition to the Port’s consideration of placing a cell tower on the Port’s property at Possession (**EXHIBIT J**).

Commissioner Tapert pointed out that the Port is simply looking at a potential opportunity to lease a space for a cell tower – the Port is not the proponent. All the environmental issues and public comments will be dealt with by Island County. The Port is simply expressing an interest in looking at the possibility of a cell tower on Port property. He added that he has also heard from someone who lives there that the Port should absolutely agree to a cell tower there because the coverage is needed. Webster said of his group, “We like cell towers (not everyone, but most of us do), but not when you’re going to put it in a critical site that happens to be next door to us.”

Elisa Miller said only 2.5% of our beaches are available for public, and the Port’s property is part of that. The Dorothy Cleveland Trail is therefore “a rare public place after being able to go to the beach – it’s part of the beach.” She completely agrees with the group that there should not be a cell tower at the top – it should stay as it is.

Commissioner Gordon said he is not interested in a cell tower – he is interested in representing the people in the Port District. He said, “There are people in our district that want a cell tower and there a people that don’t and that is always going to occur.” Regardless of what Berke’s letter said, next Monday’s meeting was scheduled by the Port specifically to get input from both sides of the issue. Commissioner Gordon encouraged everyone to attend that meeting, and expressed hope that it would be “a two-way conversation and everyone keeps an open mind.” There will always be pros and cons, and as Commissioners, they are obligated to hear both sides.

Michael Smith said it wasn’t clear in the letter sent by Goodman Networks that there would be representation by the Port at the meeting on March 15th. He asked if there would be a representative from the Port at the meeting. Commissioner Gordon reiterated that the meeting is being put on and attended by the Port Commissioners for the community, that the Port asked Goodman Networks to come and submit their information and ideas to the Port and the public, that the meeting was not and is not intended be one of their procedural pieces to acquiring a permit, so there is obviously a real disconnect here. He added that Goodman Networks should not have done anything without Port permission.

Commissioner Gordon said continued discussion on the topic should take place at the public meeting on March 15th, when the Commissioners will have the opportunity to hear from all constituents.

2. Possession Float Installation – Scheduled for Saturday, April 17th: ALSO NOTE: Bush Point Float Installation – Scheduled for Monday, April 19th.

B. South Whidbey Harbor:

1. Expansion Project:

- a. Design & Permit Prep – Status: Ed said there was nothing new to report on the permits. He and Financial Manager Dane Anderson will begin working on the draft responses to the City of Langley’s comments.

b. Property Issues:

1. Update on Tidelands Appraisal & Donation Process from Tony Puma: Dane said they are still working with Puma on it, and they are currently waiting on a legal property description from Fakkema Kingma so the lot line adjustment can be made. Ed said the Island County Assessor had founds some discrepancies with the original transfer of property. Jenny Barrett of Barrett Escrow is verifying the property line adjustment to be sure we are attaching the tidelands to a clean property description. Dane said the slight pause in the process has worked out well because as he talked to the Recreation & Conservation Office (RCO) about Boating Infrastructure Grants (BIG), he learned that one funding requirement is that the Port obtain a special waiver in order to count this donation toward a match for the BIG program. RCO informed him today that they had mailed the waiver. Dane said the appraised value, the appraisal costs and the Fakkema + Kingma charges can all be applied to the Port’s 25% matching requirement.

2. Update on Port Management Agreement (PMA) from Department of Natural Resources (DNR): Dane reported that all of the documents are in place and are being circulated at DNR for approval.

c. Funding Issues:

1. Financial Policy issues: Dane met with a bond underwriter for a 2½ hour “Bond 101” session. He said he’d be happy to provide the Commissioners with a hard copy of the presentation and answer any questions they might have. He gave the following “short version of Bond 101”: It will cost about \$4,000 to get rated and if the Port were to go straight from rating to funding it would take 45-60 days. Commissioner Gordon asked if there were any advantages or disadvantages to waiting with the rating process. Dane said, “No.” The Commission agreed there was no point in waiting then, and directed Staff to move forward with the bond rating process.
2. Draft InterLocal Agreement (ILA) for accessing Rural County Economic Development Funds (RCEDF): Dane said the ILA will be on the agenda for the April meeting and it will require a formal motion of approval.
3. Recreation & Conservation Office (RCO) Opportunities – Report from February 26th Seminar and Site Visit (today): Dane reviewed that the BIG program (requiring a 25% match) is the one the Port has targeted to help fund the northeast breakwater (the new one). He floated the idea at the seminar with the Grant Manager Sarah Thirtyacre, who is new to the area. She subsequently came out for a site visit this afternoon to discuss it in further detail, and she didn’t see any problems with the concept. Dane said it is an interesting grant program; because we are asking for over \$95,000, it will be in a national competition. Our state’s RCO likes winning those national competitions, so they will work with the Port and they have had a very high success rate (95%) on them. When the Port of Bremerton received \$950,000 from the BIG program, Dane thought that was close to the maximum allowed, but at the seminar he learned that is not the case. Thirtyacre said she has seen much bigger grants, so Dane thinks the Port’s limitation will be on the match. Commissioner Tapert asked if Port could get some credit toward the match for money already spent on engineering, design, etc. and Dane said it could for existing expenditures on the project that would apply. He said that was an important caveat, because the existing expenditures are for the whole project and this would be a grant for just a portion of it, so there would have to be some pro-ration involved.

The Commission agreed the BIG program was really worth pursuing. Ed added that unfortunately, there is no verbal presentation piece as there was with the Clinton Beach project (which they were very successful with), so that’s disappointing. Instead, there is a written technical piece with initial submittal by May 1 and final by the end of July. The BIG program is to provide grants to marinas of national significance, and Ed noted that Dane had done a lot of work with the offices of Senators Murray and Cantwell, chasing appropriations and making connections. Although that work might not pay off with the appropriations piece, this would be an easy way for the senators to say, “I’ve got a marina of national significance in my district and I’d sure like some money for it.” Commissioner Tapert asked if it helped that we are this far along in the permit process and Dane and Ed said it absolutely helped.

4. Appropriations Request – Status: Dane reported the request was submitted before the deadline and receipt has been confirmed.

2. Harbor Operations:

a. Phil Simon Park Relocation Project – Simon Family Sign Proposal & Re-Opening:

Simon was on hand to present the formal sign proposal for the Park (**EXHIBIT K**). The proposal included the Simon family's offer to donate the materials and installation labor for a sign similar to the preliminary design shown in the proposal (using the stern from an old Chris Craft wooden boat). They would like to have some help with the engraving of the sign and an authorization to move forward.

Commissioner Tapert said the proposed sign is fine with him, but the City of Langley has a sign ordinance and requires a permit that Simon would have to obtain. Ed read aloud the written comments from Fred Evander (Community Planner, City of Langley) and from Commissioner Jerome. Evander indicated the maximum size for signs is 20 sq. ft. The fee for permit application is about \$50, and the City's Design Review Board (DRB) would have to review and approve it at one of their monthly meetings. If Simon wanted to present it to the DRB at their meeting on March 16th, he would have to submit the full package by the end of the day tomorrow or wait until their April meeting. Commissioner Jerome indicated that he liked the proposed sign concept and is not too concerned about size and scale as long as it is not in a location that would block significant views. His only concern was to make sure that a provision for maintenance of the sign is considered.

The Commission supported the proposed sign concept, and Simon said he would apply for the permit and plan to attend the DRB's April meeting. Simon thanked the Board for their time.

b. Proposed Regulation and Rate Revisions for 2010-2011 (**EXHIBIT L**) – Commission

Action: Ed noted that the Commission had reviewed the draft changes at the regular March meeting, and Commissioners Gordon and Tapert said they had no issues or changes to the proposed revisions. Ed read aloud Commissioner Jerome's comments as follows: *"I am willing to approve the proposed Fee Schedule – note I have a conflict of interest but know that I am also approving the fee hike on the only annual moorage-winter only utility user – ME!"*

ACTION: A Motion was made by Commissioner Gordon and seconded by Commissioner Tapert to approve the Proposed Regulation and Rate Revisions for the South Whidbey Harbor (effective April 15, 2010 through April 15, 2011). The Motion passed unanimously.

c. "Welcome Packet" Program for 2010 – Commission Approval: Rick was on hand to answer any questions regarding the proposed program. Commissioner Gordon said the information provided was thorough and he particularly liked the survey portions. He asked what the start-up expenses for the program would be, and Rick said he would absorb the cost so there would be no cost to the Port. Ed explained that Rick's company, Northwest Marine Solutions, was donating the cost of the CDs (about \$1.50/CD), which is the only hard cost in the packet – Rick was able to get all the flyers, bags, etc. for free.

Commissioner Jerome's comments indicated that the "Welcome Packet" Program was excellent and he was in favor moving ahead with all of it, including the CDs. He added that he was interested in learning how many non-Langley merchants were participating, and he hoped at least one taxi or other transportation provider would be included in the packet.

Rick said he has lined up 20 sponsors so far who want to put flyers or coupons in the Packet, including two car rental companies in Clinton and two taxi services, as well as a couple of farms in Clinton.

At the end of the year, Rick will provide a report listing the amount of CDs that Northwest Marine Solutions provided, and the Port will provide a letter acknowledging the donation for his company's records.

ACTION: A motion was made by Commissioner Tapert and seconded by Commissioner Gordon to authorize the implementation of the "Welcome Packet" program for 2010 as presented. The Motion passed unanimously.

d. Clean Water Contract with WA Parks for Septic Pump-out Cost Reimbursement – Status: Dane reported that the Port now has a new contact at WA Parks (Mike Thornley), and he is working on trying to pull additional funding. If approved, the Port would be reimbursed for 75% of all costs for a total of \$6,000. Thornley has requested an accounting of all money spent to date, so Dane's assumption is that at the very least, the Port would get that money back.

C. Staff & Operations:

1. Port Clerk Hiring – Status Update: Ed reported that at least 20 applications had been received so far. The deadline for submittal is at the end of business tomorrow, March 10th.
2. Home Office Search – Update: Ed said the search is going extremely well. He has looked at 2 places in Freeland and has an appointment to view a space in Bayview tomorrow.

The first Freeland location is in a relatively new building and is a 700 sf, three-office suite with room to expand. It has an outside entrance and a large, fully furnished conference room is available in the building. The outside entrance might not be ADA compatible, but there is an elevator. The estimated cost would be \$1.15/sf. The other Freeland location is also a relatively new space and the Port could lease as much space as needed; estimated at \$1.00 per s.f. There is space available for a conference room, but there isn't one there right now.

Ed thought they were close to being able to structure a letter that lists the specific qualities the Port is looking for in a space and ask the owners to submit their best offer. He noted that although there is a lot of space available for rent in Freeland, much of it is either older or configured in a manner that is not suitable (doctor's office, etc.). Both of the newer spaces in Freeland are wired for phones and close to turn-key condition, which would help meet the goal of moving in between April 15th and June 1st. Commissioner Tapert said it would be helpful to see a sort of matrix of the top 3 locations, listing the square footage, amenities, access to public meeting room, etc. to help evaluate the pros and cons of each. Ed agreed to send the letter as discussed and report back to the Commission with his recommendation.

3. Pacific Coast Congress of Harbormasters and Port Managers (PCC) Conference: The Commission approved Rick's attendance at this year's conference.

D. New Project Opportunities:

1. Possession Point State Park Acquisition/Development, Clinton (Young): Regarding the "swapping" of Bush Point for Possession Point State Park, Dane reported that Washington State Parks "are interested, but not chomping at the bit." They are concerned with the costs of operating the Bush Point facility, and since all state park launch facilities are fee facilities, they would have to charge a fee and they "don't want to look like the bad guys." The State Parks Department did ask if the Port would be interested in simply acquiring and taking over Possession Point State Park without any trade, and per Commission direction, Dane informed that the Port was not interested in that option. Commissioner Gordon and Commission Tapert said they would be happy to turn over Possession Point Waterfront Park to the State Parks if they were interested.
2. Ferry/Commuter Issues (Gordon): After their economic development meeting, Commissioner Gordon said they discussed staging, waiting traffic on the weekends and possible parking in Mukilteo. Nothing additional to report.
3. Island Transit Circulation/Shuttle Service Possibilities (Jerome): Commissioner Jerome will attend the next meeting on Monday at 10:00 a.m. at the Port office.

6. ACTIVITIES/INVOLVEMENT REPORTS:

- A. Economic Development Council (EDC):** Commissioner Jerome was absent, so there was no report.
- B. Council of Governments (COG):** Commissioner Gordon said the meeting was very interesting. There was quite a long seminar by the head of emergency management in the state and the county as well. It was helpful and very informative.
- C. Skagit-Island Regional Transportation Planning Organization (RTPO):** Commissioner Gordon said the last meeting was sort of combined with the COG meeting. He noted that the local RTPO has not been doing a lot lately. Commissioner Tapert asked about the status of the Six-Year Transportation Improvement Plan (TIP), which is updated every year. Commissioner Tapert said they have tried to add Crawford Road each year but it has been ignored. Gordon said he would look into it. Dane said having the marina expansion on the TIP is an important first step in going after transportation funding. Commissioner Gordon said he would work on that.
- D. Marine Resources Committee (MRC):** Commissioner Tapert did not attend. Minutes are available on their website at <http://www.islandcountymrc.org>.
- E. Washington Public Ports Association (WPPA):** Commissioner Jerome was absent, so there was no report. Their website is <http://www.washingtonports.org>.
- F. Holmes Harbor Shellfish Protection District (HHSPD):** Commissioner Tapert had nothing new to report.

7. OLD BUSINESS: There was no old business.

8. NEW BUSINESS:

A. Ragnar Relay – Approval to use Bush Pt. field for staging again (similar to 2009): The Commission approved the use of the field for the Ragnar Relay staging. **(EXHIBIT M)**

9. ADJOURNMENT:

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

Approved:



Commissioner Geoff Tapert, Freeland

Minutes prepared by:



Edwin S. Field, Port Manager

Not present

~~Commissioner Chris Jerome, Langley~~



Commissioner Curt Gordon, Clinton

- Exhibit A: Voucher Listing
- Exhibit B: Application for Marketing Funds (WICA)
- Exhibit C: Application for Irrigation Funding for Freeland Park (Freeland Lions Club)
- Exhibit D: Application for Advertising & Brochure Funds (Whidbey Farm Tour)
- Exhibit E: Application for Advertising & Promotion (Choochokam Arts)
- Exhibit F: Application for Uniquely South Whidbey Trade Fair Promotion Funds (Langley Chamber)
- Exhibit G: Application for Promotion Funds for Clinton Mayfest (Clinton Progressive Hall)
- Exhibit H: January 2010 Financial Statement
- Exhibit I: 2/26/10 Letter to Residents from Steven Berke of Goodman Networks
- Exhibit J: Statement from Neighbors Opposing Cell Tower Site at Possession
- Exhibit K: Simon Family sign proposal
- Exhibit L: South Whidbey Harbor Rates & Regulations for 2010-2011
- Exhibit M: 3/7/10 Ragnar Relay request to use field at Bush Pt. for staging