

**MINUTES OF THE PORT OF BELLINGHAM
COMMISSION MEETING
HELD TUESDAY FEBRUARY 5, 2019
HARBOR CENTER ROOM
1801 ROEDER AVENUE, BELLINGHAM, WASHINGTON**

Present:	Commissioners:	
	President	Bobby Briscoe
	Vice President	Ken Bell
	Secretary	Michael Shepard
Staff:	Rob Fix	Executive Director
	Sylvia Goodwin	Facilities Director
	Sunil Harman	Aviation Director
	Don Goldberg	Economic Development Director
	Brian Gouran	Environmental, Planning Director
	Sylvia Goodwin	Engineering Director
	Tamara Sobjack	Finance Director, Auditor
	Shirley Mc Fearin	Real Estate Director
	Jon Sitkin	Port Legal Counsel
	Diane McClain	Executive Secretary

OPEN PUBLIC MEETING ROLL CALL AND IMMEDIATELY RECESS TO CLOSED EXECUTIVE SESSION At approximately 3:30 PM, the regular meeting was opened and immediately recessed to executive session. The purpose of the executive session was to discuss personnel pursuant to RCW 42.30.110(1) (g). The executive session was expected last approximately 1 hour with no formal action taken by the Commission during the executive session.

4:30 RECONVENE PUBLIC MEETING, ROLL CALL- At approximately 4:30 p.m., Commission President Briscoe opened the public meeting and announced that all 3 Commissioners were present.

Advisory Committee Announcements

PUBLIC COMMENT PERIOD-

Judith Akins (Blue Green Coalition) spoke in support of using the highest environmental standards, green building materials, the clean building act, energy efficiencies, healthy housing initiative and affordable housing on the waterfront.

CONSENT AGENDA

Motion: Approve Consent Agenda items A-C.

- A. Approve the minutes of the January 22, 2019, regular Commission meeting.
- B. Authorize the Executive Director to execute the 2019-2022 Collective Bargaining Agreement between the Port of Bellingham and the International Longshore and Warehouse Union (ILWU), Local 7- Clerical, including any necessary budget amendments.

- C. Approve a Renewal & Modification of Lease and Real Property Purchase and Sale Agreement between the Port of Bellingham and Teal Jones Lumber Services, Inc., for property located in Sumas, Washington.

Motion approved with a 3-0 vote.

ACTION ITEMS

1. IMPLEMENTATION AGREEMENT NO. 2 OF THE INTERGOVERNMENTAL FRAMEWORK AGREEMENT BETWEEN THE PORT AND LUMMI NATION

Motion: Approve Implementation Agreement No. 2 of the Intergovernmental Framework Agreement between the Lummi Nation and the Port of Bellingham, and increase the Infrastructure Divisions' operating budget by \$120,000.

Discussion: Environmental and Planning Director Brian Gouran explained that the Port and Lummi Nation first entered into an Intergovernmental Framework Agreement in 2009. The intent of the agreement was to jointly establish goals/objectives regarding Bellingham Bay, associated shorelines and opportunities throughout Whatcom County. Additionally, in 2009, the Port and Lummi Nation approved Implementation Agreement No. 1 (Addendum No. 1 to the Framework Agreement) specifying responsibilities and obligations of both parties to meet the goals/objectives. Proposed Implementation Agreement No 2 (Addendum No. 2 to the Framework Agreement) addresses long-standing issues related to historical changes, past, present and future impacts to Lummi Treaty Rights Usual and Accustomed Fishing from the construction, use, repair and replacement of in-water structures in Bellingham Bay and Drayton Harbor. Mr. Gouran outlined terms of the agreement pertaining to an annual moorage credit the Port will provide to Lummi Fishers in perpetuity as long as the Port own/operates Blaine and Squaticum Harbors, waiving of past due charges, use of boat launch facilities without fees, in exchange for withdrawal of objections to existing and future maintenance/repair project permit applications and agreeing to meet annually to review and discuss projects requiring permits. Mr. Gouran noted that the Lummi Indian Business Council voted to approve the agreement earlier in the day. The Commission favored the efforts, improving relationships and support for the agreement.

Motion approved with a 3-0 vote.

2. AGREED ORDER WITH THE DEPARTMENT OF ECOLOGY FOR THE I & J WATERWAY SITE

Motion: Authorize the Executive Director to execute an Agreed Order to perform remedial design for required cleanup actions at the I & J Waterway Site, pending no substantive changes to the Draft Agreed Order.

Discussion: Environmental and Planning Director Brian Gouran presented an overview of the I and J Waterway's historical use and operations, dredging, development and its identification as an environmental cleanup site under the Department of Ecology's Model Toxics Control Act (MTCA), later split into two separate cleanup units. The Port entered into an Agreed Order with Ecology in 2005 to perform the Remedial

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Investigation/ Feasibility Study (RI/FS) to develop a draft Cleanup Action Plan for the site. In coordination with Ecology and Bornstein Seafoods, the scope of work in the new proposed Agreed Order will provide engineering, design work, and construction plans/specs; required cleanup actions for the Sediment Cleanup Unit 1 portion of the site, pending no substantive changes to the Draft Agreed Order.

Motion approved with a 3-0 vote.

OTHER BUSINESS

Economic Development Update- Economic Development Director Don Goldberg provided an update/ follow up to his hiring and presentation to Commission nearly a year ago. Mr. Goldberg revisited a list of initial vision/goals that included rebranding, an approach to Regional Economic Partnership (REP), discussed challenges, accomplishments, staff hiring, strengths, responsibilities and duties assigned. Mr. Goldberg spoke of people met, connecting with businesses and officials in the County and City of Bellingham, Small City Partnership, seeking out opportunities to engage in which could support jobs, infrastructure, broadband, rebranding Cherry Point region development, etc. The Commission expressed support for the work completed thus far; the direction planned and suggested a similar presentation on the scope and vision for Economic Development in Whatcom County be shared with others in the community.

Other comments:

- The Commission thanked Sylvia Goodwin for coming out of retirement to help the Port operations by filling in as Facilities Director for a few months when asked.
- Congratulations to All American Marine for its continued business expansion and successful launch of a new vessel on this date.

PUBLIC COMMENT PERIOD-

Jim Kyle (Working Waterfront Coalition) offered support for the Intergovernmental Framework Agreement and enhanced relationship with the Lummi Nation.

ADJOURN

With no further business, the meeting was adjourned at approximately 5:40 p.m.



President



Secretary