

**MINUTES OF THE PORT OF BELLINGHAM COMMISSION MEETING  
HELD TUESDAY, JANUARY 8, 2013  
HARBOR CENTER BUILDING CONFERENCE ROOM  
1801 ROEDER AVENUE, BELLINGHAM, WASHINGTON**

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|----------|-----------------|----------------|
| Present: | Scott L. Walker | President      |
|          | Jim Jorgensen   | Vice President |
|          | Michael McAuley | Secretary      |

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|--------|-------------------|-----------------------------------|
| Staff: | Rob Fix           | Executive Director                |
|        | Dan Zenk          | Aviation Director                 |
|        | Lydia Bennett     | Business Development Director     |
|        | Mike Stoner       | Environmental Programs Director   |
|        | Carolyn Casey     | External Affairs Director         |
|        | Fred Seeger       | Facilities Director               |
|        | Elizabeth Monahan | Human Resources Director          |
|        | Dan Stahl         | Maritime Director                 |
|        | Sylvia Goodwin    | Planning and Development Director |
|        | Shirley McFearin  | Real Estate Director              |
|        | John Hergesheimer | Senior Project Engineer           |
|        | Mike Bozzo        | Maintenance Manager               |
|        | Frank Chmelik     | Port Counsel                      |
|        | Diane McClain     | Executive Secretary               |

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**CALL PUBLIC MEETING TO ORDER AND ROLL CALL**

Commissioner Walker called the meeting to order at 3:03 p. m.

**PUBLIC COMMENT PERIOD**

The following persons signed up for public comment on matters pertaining to the airport.

1. Matt Paskus, 1151 Old Marine Drive, Bellingham, WA - Airport Forecast -Mr. Paskus spoke of the Paine Field study and the draft forecast.  
Click here for presentation: <http://www.portofbellingham.com/DocumentCenter/View/2217>

**CONSENT AGENDA**

Motion: To adopt Consent Agenda items A through K as follows:

- A. Approve the minutes of the December 4, 2012, regular Commission Meeting.
- B. Approve Voucher Certification and Approval for period December 5, 2012 - December 26, 2012, totaling \$5,268,856.84.
- C. Approve the appointment of Director of Finance Tamara Sobjack as Port Auditor, and appoint Accountant Valerie Schorr as Deputy Auditor, for fiscal year 2013.
- D. Approve Resolution No. 1029-R authorizing the Executive Director to sell property

valued at ten thousand dollars (\$10,000) or less and superseding Resolution No. 1029 -Q, January 2012.

- E. Approve Resolution No. 1183-J designating the Director of Finance as responsible official for the purpose of issuing statements of official intent to seek reimbursement of capital projects through the issuance of tax exempt bonds.
- F. Approve a motion establishing 2013 and 2014 Rental fees for Port Conference Rooms and Event Facilities.
- G. Reaffirm the utilization of Chmelik, Sitkin, & Davis, P.S., Attorneys at Law, as the Port's general legal counsel.
- H. Authorize the Port's legal counsel to enter into contracts with Anchor QEA, LLC, and other consultants to provide technical expertise in support of the legal work related to the Environmental Department.
- I. Approve changes to the Port of Bellingham Blaine and Squaticum Harbors' Rules, Regulations and Procedures with Resolution No. 1226-H.
- J. Approval of a motion adopting the Port of Bellingham's Rental Revenue Standards for FY 2013.
- K. Approval of a motion adopting the Liability Insurance Standards for Port of Bellingham Agreements for FY 2013.

Discussion: None.

Motion approved with a 3-0 vote.

### **ACTION ITEMS:**

#### **1. RESOLUTION NO. 1106-N EXTENSION, DELEGATION OF POWERS TO EXECUTIVE DIRECTOR.**

Motion: Approve the Extension of Resolution No. 1106-N delegating certain administrative powers and duties to the Executive Director.

Discussion: Executive Director Rob Fix recommended extending the current Resolution No. 1106- N set to expire January 31, 2013, to March 31, 2013, to allow time for addressing the restriction Commission added mid-year regarding travel to Canada. The Commission discussed and agreed that staff should be allowed to travel to Canada without prior approval by the Commission. Commissioner Walker asked that the line in page 7, Section V, No. 3 regarding Claims "No such claims shall be submitted to the Commission until a tentative agreement has been reached with the parties concerned for settlement" be removed. The Motion was amended to include Commission requested changes regarding travel and claims and the sunset date was extended to January 31, 2014.

Motion approved with 3-0 vote.

#### **2. SELECT BOARD OF COMMISSION OFFICERS AND ESTABLISH DATES, TIMES, AND LOCATION OF REGULAR PORT COMMISSION MEETINGS FOR 2013**

Motion: Commission officers for President, Vice President, and Secretary of the Port of Bellingham Board of Commissioners for the 2013 calendar year shall be:

1. President: Jim Jorgensen
2. Vice President: Michael McAuley
3. Secretary: Scott L. Walker

Discussion The dates, times, and location of regular Port of Bellingham Commission meetings for the 2013 calendar year shall remain the first and third Tuesdays of the month at 3:00 p.m., in the Harbor Center conference room at 1801 Roeder Avenue, Bellingham Washington.

Motion approved with 3-0 vote.

### **3. APPOINT COMMISSIONERS TO SERVE AS REPRESENTATIVES AND BOARD MEMBERS FOR 2013**

Motion: Approval of the appointment of Commissioners to serve as representatives or board members for the following organizations or committees during 2013.

|  | Primary         | Secondary       |
|--|-----------------|-----------------|
| Whatcom Council of Governments (WCOG)                | Jim Jorgensen   | Scott L. Walker |
| Washington Public Ports Association (WPPA)           | Scott L. Walker | Michael McAuley |
| Whatcom County Economic Development Investment (EDI) | Michael McAuley |                 |
| Public Art Advisory Team                             | Michael McAuley | Scott L. Walker |

Discussion: The Commissioners did not appoint a Commissioner to serve as a representative for the Association of Pacific Ports (APP), Puget Sound Ports Group, or American Association of Port Authorities (AAPA), concurring that if the need arose, they would appoint someone. For all other official public meetings, it was decided that the Commission President will normally attend on behalf of the Port and if unable, an alternate will be asked to attend.

Motion approved with 3-0 vote.

### **4. PROFESSIONAL SERVICES AGREEMENT (PSA) WITH URS FOR THE 2013 BLI COMMERCIAL APRON IMPROVEMENT PROJECT.**

Motion: Authorize the Executive Director to execute a Professional Services Agreement (PSA) with URS for design, permitting and bid support services for the BLI 2013 Commercial Apron Improvement Project in the amount of \$200,092. This action is contingent upon FAA

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concurrence in reference to the future AIP 51 grant.

Discussion: Senior Project Engineer John Hergesheimer explained that the proposed PSA with URS is for a scope of construction project management, design and permitting services to support the commercial aircraft parking Remain Overnight (RON) parking project. Mr. Hergesheimer added that URS was selected as the best qualified of the 3 firms responding to the November 2012 Request for Professional Services (RFPS).

Motion approved with 3-0 vote.

#### **5. BID AWARD TO AXIOM DIVISION 7, LYNDEN, WASHINGTON FOR REROOFING PROJECT**

Motion: Authorize the Executive Director to execute a contract with Axiom Division 7, Inc. of Lynden, Washington for the Re-roofing of the 2652 North Harbor Loop building and the 401 Harris Avenue building in the amount of \$107,613, plus a 15% contingency of \$16,142, for a total authorized contract amount of \$123,755.

Discussion: Maintenance Manager Mike Bozzo reported that both roofs are at the end of their useful life and the new roofs are required to protect Port assets. Mr. Bozzo added that both new roofs will be of Thermoplastic Polyolefin (TPO) materials and Axiom Division 7, Inc. submitted the lowest responsive and responsible bid for this work.

Motion approved with 3-0 vote.

#### **6. MODIFICATION OF COMMERCIAL LEASE AGREEMENT WITH GREENBERRY INDUSTRIAL LLC , BELLINGHAM SHIPPING TERMINAL**

Motion: Approve a Modification of Commercial Lease Agreement with Greenberry Industrial LLC ("Greenberry") to reduce the leased premises located at the Bellingham Shipping Terminal (BST).

Discussion: Maritime Director Dan Stahl explained that Greenberry has scaled back its construction activity and is requesting its leased premises for less lay-down and parking area be reduced as well as the size of the warehouse space, effective January 1, 2013, and the hold over status of the lease to be converted to a month to month tenancy.

Motion approved with 3-0 vote.

### **RECESS PUBLIC MEETING AND OPEN INDUSTRIAL DEVELOPMENT CORPORATION (IDC) BOARD MEETING**

#### **1. APPROVE THE MINUTES OF THE IDC BOARD MEETINGS.**

Motion: Adopt the minutes of the February 21, 2012, and the March 6, 2012, Industrial Development Corporation (IDC) board meetings.

Discussion: None

Motion approved with 3-0 vote

## **2. SELECT 2013 IDC OFFICERS AND SET DATE, TIME, LOCATION OF 2013 IDC BOARD MEETINGS.**

Motion: Appoint the Officers and establish the date, time and location of the 2013 Industrial Development Corporation (IDC) board meetings. For the 2013 calendar year:

1. President: Jim Jorgensen
2. Vice President: Michael McAuley
3. Secretary: Scott L. Walker
4. Treasurer: Rob Fix

Discussion: As needed, the dates, times, and location of Port of Bellingham IDC meetings for the 2013 calendar year shall coincide with the regular Port Commission meetings to be held on the first and third Tuesdays of the month at 3:00 p.m., in the Harbor Center conference room at 1801 Roeder Avenue, Bellingham Washington.

Motion approved with 3-0 vote.

## **3. APPROVE THE 2013 BUDGET AND AUTHORIZE THE IDC TREASURE TO APPROVE THE DISTRIBUTION AND PAYMENT OF IDC FUNDS IN CONJUNCTION WITH THE BUDGET.**

Motion: Authorize a 2013 budget for the Industrial Development Corporation (IDC) totaling revenues of \$33,624 and expenditures of \$128,561 as outlined through the attached budget and to authorize the IDC Treasurer to approve the distribution and payment of IDC funds in conjunction with this budget.

Discussion: Executive Director and IDC Treasurer Rob Fix explained that the Port's IDC charges a fee to issuers of Industrial Revenue Bonds (IRBs). Mr. Fix further explained that these fees are accumulated in a separate account for Economic Development purposes only and added that the IDC is audited annually by the State Auditor.

Motion approved with 3-0 vote

## **CLOSE INDUSTRIAL DEVELOPMENT CORPORATION (IDC) BOARD MEETING AND RECONVENE PUBLIC MEETING**

### **NEW BUSINESS**

There was some discussion regarding 1.) a recent purchase of 3 microwave ovens for the Port facilities being used for meeting and event rentals, 2.) the potential for storage use of the Lignin Building at the Waterfront and 3.) preparation of scoping comments on the Gateway Pacific Terminal. No decision or direction was given.

### **ADJOURN**

As there was no further business, the meeting was adjourned at 5:30 p.m.

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Jim Jorgensen, President

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Scott L. Walker, Secretary