

**MINUTES OF THE PORT OF BELLINGHAM COMMISSION MEETING
HELD TUESDAY, JANUARY 7, 2014
HARBOR CENTER BUILDING CONFERENCE ROOM
1801 ROEDER AVENUE, BELLINGHAM, WASHINGTON**

Present:	Commissioners:	Jim Jorgensen Michael McAuley Dan Robbins
Staff:	Rob Fix Dan Zenk Mike Stoner Carolyn Casey Tamara Sobjack Fred Seeger Elizabeth Monahan Dan Stahl Shirley McFearin Dodd Snodgrass Frank Chmelik Diane McClain	Executive Director Aviation Director Environmental Programs Director External Affairs Director Finance Director Facilities Director Human Resources Director Maritime Director Real Estate Director Economic Development Specialist Port Counsel Executive Secretary

CALL PUBLIC MEETING TO ORDER AND RECESS TO CLOSED EXECUTIVE SESSION

Commissioner Jorgensen called the meeting to order at 1:00 p. m. to report that the purpose of the closed session would be to discuss personnel matters and real estate transactions pursuant to RCW 42.30.110(1) (g) (c).

RECONVENE PUBLIC MEETING AND ROLL CALL

Commissioner Jorgensen called the meeting to order at approximately 3:00 p. m. and congratulated and welcomed the two newly elected Commissioners Robbins and McAuley.

OATH OF OFFICE

Executive Director Rob Fix introduced Whatcom County Auditor Debbie Adelstein present to administer the Oath of Office to Commissioner Elect Dan Robbins and Commissioner Re-Elect Michael McAuley. Both Commissioners stood to take the oath of office and individually thanked Ms. Adelstein and then thanked the public and staff members for being granted the opportunity to serve.

PUBLIC COMMENT PERIOD

The following persons signed up for public comment:

1. Lisa Neulicht –899 Piper Road, Ferndale- Ms. Neulicht commented that she is frustrated by the airport noise, current noise abatement procedures and encouraged the formation of a new committee to address airport issues and urged the Commission to consider evening Commission meetings.
2. April Barker- 3627 Birchwood Avenue, Bellingham – Birchwood Association- Ms. Barker voiced concerns regarding airport noise. Ms. Barker spoke in favor of a committee with neighborhood representation and having a Port Commissioner attend. Ms. Barker also asked that the Port streamline the online complaint form process.
3. Bert Webber – 3939 Cliffside Drive, Bellingham, WA- Mr. Webber spoke of noise abatement procedures dating back to 1995 and urged Port to revisit the document. Mr. Webber urged the formation of an airport committee with a stronger community input.

Executive Director Rob Fix suggested the Port might explore perhaps two airport groups: One offering technical support, and the other community input.

4. Jim Kyle, 4102 Linnell, Deming, WA – Mr. Kyle provided a memo to the Commission introducing the Working Waterfront Coalition formation; membership consisting of Marine-related businesses of Whatcom County promoting vitality of Whatcom County's working waterfront.
5. Matt Paskus, 1151 Old Marine, Bellingham, WA- Mr. Paskus spoke of the Bellingham International Airport Advisory Committee (BIAAC) formed in 2004, airport boundaries and concern regarding a potential future building development near the airport, adding approximately 500 new homes.
6. Layne Southcott – 4 Pillars Development, – Mr. Southcott congratulated the newly elected Commission and reported that the Sea Orbiter will be in production in France in March. Mr. Southcott added that the United Creatives group has had interviews with contractors and developers regarding the development of the waterfront.
7. Teresa and John Van Haalen- Executive Secretary Diane McClain presented the Commission a copy of an email from Teresa and John Van Haalen urging the Commission to take action on noise abatement issues and to consider moving to evening Commission meetings.

ACTION ITEMS:

1. SELECT THE BOARD OF COMMISSION OFFICERS FOR 2014

Motion: Select Commission Officers for President, Vice President, and Secretary of the Port of Bellingham Board of Commissioners for the 2014 Calendar Year.

Discussion: The Board of Commissioners recommended the following appointments for 2014:

<u>President:</u>	Michael McAuley
<u>Vice President:</u>	Dan Robbins
<u>Secretary:</u>	Jim Jorgensen

Motion approved with 3-0 vote.

ESTABLISH DATES, TIMES, AND LOCATION OF REGULAR PORT COMMISSION MEETINGS FOR 2014

Motion: Establish the dates, times, and location of regular Port of Bellingham Commission meetings for the 2014 Calendar Year.

Discussion: The Commission discussed the history of Commission meetings being held on the first and third Tuesdays of the month at 3:00 p.m., in the Harbor Center conference room and the possibility of moving the regular meetings to a later time. The Commissioners shared comments received from various members of the public; business persons, retired persons, out of town guests, representatives from other entities in the county, staff members and special interest groups. Commissioner Robbins reported that the majority of Whatcom County residents do not attend Commission meetings and that most of the people he spoke to, favored keeping the meetings in the afternoons. Commissioner McAuley reported that he was hearing from people in the community asking that the Port move to evening meetings. Commissioner McAuley spoke of other ports and councils holding meeting in the evenings; some with additional committee meetings in the afternoons. Commissioner Jorgensen expressed concern that there would not be a higher attendance if meetings were held in the evening but was willing to consider the idea.

The Commission unanimously decided to continue the motion to the next January 21, 2014, meeting at 3:00 p.m.

2. APPOINT COMMISSIONERS TO SERVE AS REPRESENTATIVES AND BOARD MEMBERS FOR 2014.

Motion: To approve the appointment of Commissioners to serve as representatives or board members for the following organizations or committees during 2014.

Discussion: The Commission selected the following appointments for the 2014 calendar year:

	<u>Primary</u>	<u>Secondary</u>
Whatcom Council of Governments (WCOG)	Jim Jorgensen	Michael McAuley
Washington Public Ports Association (WPPA)	Michael McAuley	Dan Robbins
Whatcom County Economic Development Investment (EDI)	Michael McAuley	Dan Robbins
Public Art Advisory Team	None	None
Western Crossing	Dan Robbins	Jim Jorgensen

Motion approved with 3-0 vote.

Note: The Commissioners did not appoint a Commissioner to serve as a representative for the Public Art Advisory, 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. The Commissioners agreed that on occasion one of them may choose to attend meetings such as the Marina Advisory Committee (MAC) and the Bellingham International Airport Advisory Committee (BIAAC) as a guest.

3. RESOLUTION NO. 1106-P, DELEGATION OF POWERS TO EXECUTIVE DIRECTOR.

Motion: Approve Resolution No. 1106-P, delegating certain administrative powers and duties to the Executive Director.

Discussion: Executive Director Rob Fix explained that Port Resolution No. 1106 is a policy that frameworks the Commission's delegation of authority to the Executive Director. This resolution is revised as needed, reviewed by legal counsel, and adopted by the Commission annually. Mr. Fix added that the proposed version 1106-P includes a few minor changes from the 1106-O adopted in January 2013. The proposed changes reflect minor edits in language in the sections regarding short term leases, sublease procedures, lease renewals and the Bellingham Shipping Terminal Tariff and Professional and Consultant Services.

Motion approved with 3-0 vote.

CONSENT AGENDA

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

- A. Approve the minutes of the December 3, 2013, and the December 17, 2013, regular Commission Meetings.
- B. Approve Voucher Certification and Approval for period November 27, 2013 – December 24, 2013, totaling \$4,080,966.60.
- C. Approve the appointment of Director of Finance Tamara Sobjack as Port Auditor, and appoint Accountant Valerie Schorr as Deputy Auditor, for fiscal year 2014.
- D. Approve Resolution No. 1029-S authorizing the Executive Director to sell property valued at ten thousand dollars (\$10,000) or less and superseding Resolution No. 1029 -R, dated January 8, 2013.
- E. Approve Resolution No. 1183-K designating the Director of Finance as responsible official for the purpose of issuing statements of official intent to seek reimbursement of capital projects costs through the issuance of tax exempt bonds.

- F. Approve a motion establishing 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. Approval of a motion adopting the Port of Bellingham's Rental Revenue Standards for FY 2014.
- J. Approval of a motion adopting the Liability Insurance Standards for Port of Bellingham leases, meetings and events, and corporate events agreements for FY 2014.
- K. Authorize the Executive Director to execute a Professional Services Agreement with Van Ness Feldman P.C. to provide legal counsel to the Port with regard to the redevelopment of Bellingham waterfront properties.

Discussion: The Commission briefly discussed Consent Agenda item J and the Common Area Maintenance (CAM) charges.

Motion approved with a 3-0 vote.

4. 2013 ELECTION COSTS – INVOICE FROM WHATCOM COUNTY AUDITORS OFFICE

Motion: Authorize the Executive Director to approve payment to the Whatcom County Auditor's Office in the amount of \$74,161.43 for the November 5, 2013 general election costs.

Discussion: Finance Director Tamara Sobjack explained that the total cost of the November 5, 2013, general election was \$421,691.48 and that based on the county-wide voter turnout, the Port's share of that cost is \$74, 161.43.

Motion approved with 3-0 vote.

5. CHANGES TO PORT OF BELLINGHAM FINANCIAL GUIDELINES

Motion: Approve the Port's revised Financial Guidelines.

Discussion: Finance Director Tamara Sobjack reported that the Port of Bellingham's Financial Guidelines document sets the framework for the Port's overall fiscal management of the Port. This includes the areas of the Operating Budget, Revenue, Cash management and Investment, Cash Reserves, Debt and Capital Budget Guidelines. Ms. Sobjack further explained that the last revision to the document was done in 1997 and that revisions are necessary in order to provide clear and consistence guidance.

Motion approved with 3-0 vote.

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

1. APPOINTMENT OF IDC OFFICERS FOR THE 2014 IDC BOARD MEETINGS.

Motion: Select the officers for the Industrial Development Corporation (IDC) Board of Directors for the 2014 calendar year.

Discussion: The Commission agreed to appoint the same officers for the 2014 IDC Board of Officers as selected for the 2014 Port of Bellingham Commission Board of Officers. A recommendation was made to appoint Tamara Sobjack, Finance Director to the Treasurer position. The following board of IDC officers for calendar year 2014 was presented for a vote:

1. President: Michael McAuley
2. Vice President: Dan Robbins
3. Secretary: Jim Jorgensen
4. Treasurer: Tamara Sobjack

Motion approved with 3-0 vote.

2. ESTABLISHMENT OF DATE, TIME, LOCATION OF 2014 IDC BOARD MEETINGS.

Motion: Establish the date, time and location of the Industrial Development Corporation (IDC) board meetings for the 2014 calendar year.

Discussion: The Commission agreed that as needed, the dates, times, and location of Port of Bellingham IDC meetings for the 2014 calendar shall coincide with the dates, times and location of the 2014 Port of Bellingham Commission meetings.

Motion approved with 3-0 vote.

3. APPROVE THE MINUTES OF THE IDC BOARD MEETINGS.

Motion: Adopt the minutes of the November 5, 2013, Industrial Development Corporation (IDC) board meeting.

Discussion: None

Motion approved with 3-0 vote.

4. APPROVE THE 2014 IDC BUDGET AND AUTHORIZE THE IDC TREASURE TO APPROVE THE DISTRIBUTION AND PAYMENT OF IDC FUNDS IN CONJUNCTION WITH THE BUDGET.

Motion: Authorize a 2014 budget for the Industrial Development Corporation (IDC) totaling revenues of \$32,025 and expenditures of \$89,095 as outlined through the budget and to authorize the IDC Treasurer to approve the distribution and payment of IDC funds in conjunction with this budget.

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Discussion: Economic Development Dodd Snodgrass explained that the Port's Industrial Development Corporation (IDC) charges a fee to issuers of Industrial Revenue Bonds (IRBs). Mr. Snodgrass further explained that these fees are accumulated in a separate account for Economic Development purposes only. 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 the formation of an Airport Advisory Group with citizen involvement which Commissioner McAuley asked be explored further. Commissioner McAuley also asked Executive Director Rob Fix to look into and report back on Commission Code of Conduct; guidelines similar to the Port of the Olympia.

ADJOURN

As there was no further business, at 4:15 p.m., the meeting was continued to the January 21, 2013, Commission meeting at 3:00 p.m.

Michael McAuley, President

Jim Jorgensen, Secretary