

**MINUTES OF THE PORT OF BELLINGHAM COMMISSION MEETING
HELD TUESDAY, MARCH 3, 2015
HARBOR CENTER BUILDING CONFERENCE ROOM
1801 ROEDER AVENUE, BELLINGHAM, WASHINGTON**

Present:	Dan Robbins	President
	Jim Jorgensen	Vice President
	Michael McAuley	Secretary

Staff:	Rob Fix	Executive Director
	Dan Zenk	Director, Aviation
	Dan Stahl	Director, Maritime
	Fred J. Seeger	Director, Facilities
	Elizabeth Monahan	Director, Human Resources
	Sylvia Goodwin	Director, Planning and Development
	Tamara Sobjack	Director, Finance
	Shirley McFearin	Director, Real Estate
	Amy Suttles	Public Records Officer
	John Hergesheimer	Senior Project Engineer
	Frank Chmelik	Port Counsel
	Diane McClain	Executive Secretary

CALL PUBLIC MEETING TO ORDER AND RECESS TO CLOSED EXECUTIVE SESSION

Commissioner Robbins called the Commission meeting to order at 1:00 p.m. and immediately recessed to a closed executive session to discuss pending litigation and real estate transactions pursuant to RCW 42.30.110(1)(i) (c).

RECONVENE PUBLIC MEETING AND ROLL CALL

The Commission meeting was reconvened at approximately 3:00 p.m.

PUBLIC COMMENT PERIOD

1. Mark Lowry, P. O. Box 2563, Ferndale, WA – Waterfront Redevelopment- Mr. Lowry (Labor Council) expressed disappointment regarding recent actions pertaining to the Whatcom Waterway; asking that the redevelopment of the waterfront maximize living wage jobs, marine dependent industry, urging freight movement, active working partners in an active working port/ waterfront.
2. Lori Province, 2501 West Street, Bellingham. WA- Ms. Province is a Bellingham resident for 35 years, Port moorage customer, interested in the waterfront development, would like to

see more information made available on the Port's website; suggested a timeline might be helpful to see what has happened in the last several months.

3. Matt Paskus sent his comments via email re: the recent Paine Field vote.

ACTION ITEMS

1. APPROVE THE MINUTES OF THE FEBRUARY 17, 2015, REGULAR COMMISSION MEETING

Motion: A motion to approve the minutes of the Port of Bellingham Commission Meeting held Tuesday, February 17, 2015, in the Harbor Center Building conference room at 1801 Roeder Avenue, Bellingham, WA.

Discussion: None

Motion approved with a 3-0 vote.

2. CONTRACT WITH VPCI+CITIES DIGITAL FOR THE INSTALLATION AND MAINTENANCE OF LASERFICHE, ELECTRONIC RECORDS MANAGEMENT SOFTWARE.

Motion: A motion to authorize the Executive Director to execute a Personal Services Agreement with VPCI+Cities Digital in the amount of \$69,318, plus a contingency amount of \$6,000 for a total available contract amount of \$75,318 for the installation and maintenance of Laserfiche electronic records management software.

Discussion: Public Records Officer Amy Suttles explained the memo initially in the agenda packet had been revised to include the purchase amount of the contract in the above motion. Ms. Suttles further added this purchase was included in the approved Port's 2015 Capital Budget and of the two responses to the Request for Qualifications (RFQ) issued by the Port in January 2015, VPCI+Cities Digital was selected by the evaluation committee as the firm most responsive and qualified.

Motion approved with a 3-0 vote.

3. AMENDMENT TO THE AGREED ORDER WITH THE DEPARTMENT OF ECOLOGY FOR AN INTERIM ACTION FOR THE HARRIS AVENUE SHIPYARD SITE.

Motion: A Commission motion authorizing the Executive Director to execute an Amendment to the Agreed Order for the Harris Avenue Shipyard site with the Department of Ecology (Ecology) to include performance of an Interim Action, pending public comment.

Discussion: Senior Project Engineer John Hergesheimer explained that the Port entered into an Agreed Order with Ecology in 2010 to perform a Remedial Investigation/Feasibility Study (RI/FS) for the cleanup of the Harris Avenue Shipyard site under the Model Toxics Control Act (MTCA). Mr. Hergesheimer further reported that a condition survey performed by the Port

confirmed the Main Pier and the Carpenter Building wooden portions are dilapidated. The proposed Interim Action will include, as a necessary part of the cleanup, the permanent removal of the creosote timbered wooden structures, as well as the removal of contaminated marine sediments and soils in adjacent uplands and reconstruction of the Main Pier. Completion of the first phase of the MTCA site cleanup, through the proposed Interim Action, will result in the resumption of shipyard operations currently encumbered due to the degraded environmental conditions. Ecology will schedule a 30-day public comment period this month to allow public review of the draft Amendment to the Agreed Order and draft Work plan for the proposed Interim Action, prior to submitting for finalization of the documents this spring.

Motion approved with a 3-0 vote.

4. PROFESSIONAL SERVICES AGREEMENT WITH WILSON ENGINEERING, LLC TO PROVIDE SURVEYING SERVICES FOR THE WATERFRONT DISTRICT DEVELOPMENT.

Motion: A Commission motion authorizing the Executive Director to execute a Professional Services Agreement with Wilson Engineering, LLC to provide surveying services for the Waterfront District Development in the amount of \$26,318 plus a 10% contingency for a total authorized amount of \$29,000.

Discussion: Senior Project Engineer Adam Fulton explained that in order to subdivide the Waterfront District site into sellable parcels, the property must first be described and parsed out by means of providing General and Specific Binding Site Plans (BSPs). The General BSP encompasses the entire area. Areas could be divided and described within the General by the Specific BSPs. Mr. Fulton further explained that of the four responses to the Port issued Request for Professional Services, Wilson Engineering LLC was selected as the most knowledgeable, prepared, familiar, and economical to provide the necessary engineering/surveying services for this task.

Motion approved with a 3-0 vote.

5. FUNDING FOR THE 2015 SMALL CITIES ECONIC DEVELOPMENT PROJECTS IN BLAINE, EVERSON, FERNDALE AND LYNDEN.

Motion: A Commission motion approving spending \$80,000 of Small City Economic Development Funds for projects in the cities of Blaine, Everson, Ferndale and Lynden in the amount of \$20,000 each.

Discussion: Economic Development Specialist Dodd Snodgrass provided an overview of the Small City Economic Development Fund program created in 2004. Mr. Snodgrass explained that the purpose of the program is to annually assist small cities with the funding of planning, engineering and feasibility work. The typical project funding approval is \$20,000; averaging \$13,500 per community project. Since 2004, the Port has committed \$570,740. Small cities have in turn matched with \$861,014 in funds. Mr. Snodgrass provided examples of past projects including the Blaine Gateway Business Park, Everson South Industrial Area, Sumas Industrial Area, Downtown Lynden. The 4 proposed 2015 Port Small City Fund Projects

totaling \$80,000 (\$20,000 each) include the following: 1) City of Blaine, Blaine Retail Recruitment Strategy, 2) City of Everson, Lincoln Street Improvements, Phase 1, 3) City of Ferndale, Thornton Road Overcrossing Design, Phase 2, and 4) City of Lynden for the South Guide Meridian Sewer Sub-basin Analysis. Commissioner Robbins commented that this program is one that benefits many throughout the county.

Motion approved with a 3-0 vote.

NEW BUSINESS

- 1. NOTICE OF INTENT – WHATCOM WATERWAY STORMWATER PERMIT** - Senior Engineer John Hergesheimer reported the Port is required to submit a Notice of Intent to the Department of Ecology for the Application of the Construction Stormwater General Permit for the Whatcom Waterway Cleanup. This particular application expressly requires the signature of the Executive Director. Mr. Hergesheimer presented the following:

Motion: Authorize the Executive Director to sign a Notice of Intent for the Whatcom Waterway Stormwater General Construction Permit Application.

Discussion: Hearing none,

Motion approved with a 3-0 vote.

- 2. COB ORDINANCE-BMC Chapter 12.08**

Motion: Approve Resolution No. 1339 requesting that the City of Bellingham repeal BMC Bellingham Municipal Code Chapter 12.08 in its entirety.

Discussion: Port legal counsel Frank Chmelik explained RCW 53.08.220 allows any port throughout the state to ask a local city or county to adopt port rules in its municipal code. Mr. Chmelik further explained the primary purpose for the proposed action being recommended is to address the Multi-Party Boathouse Owners' desire to make upgrades to their electrical system by increasing power from 20 to 30 amps; currently not allowed under the dated language of the BMC Municipal Code Chapter 12.08. Other considerations given for seeking the repealing of 12.08 is that there are items included in the code pertaining to moorage at the harbors that are outdated and better addressed in detail within the Port's Harbor Rules and Regulations and Procedures adopted by the Commission.

Motion approved with a 3-0 vote.

- 3. LETTER OF SUPPORT FOR THE CARVER ACADEMIC FACILITY AT WESTERN WASHINGTON UNIVERSITY-** Executive Director Rob Fix reported the City of Bellingham, Whatcom County and the Port of Bellingham have been asked by Western to provide letters of support to local state representatives seeking funding for the

necessary improvements to the Carver Academic Facility through inclusion in the 2015-2017 State Capital Budget. Mr. Fix added this is one of Western's largest buildings and the construction of the project would create roughly 750 jobs and cost nearly \$73 million. The Commission unanimously agreed to support preparing the letter.

ADJOURN

As there was no further business, the meeting was adjourned at 4:00 p.m.



Dan Robbins, President



Michael McAuley, Secretary