

**MINUTES OF THE PORT OF BELLINGHAM COMMISSION MEETING
HELD TUESDAY, SEPTEMBER 15, 2015
HARBOR CENTER BUILDING CONFERENCE ROOM
1801 ROEDER AVENUE, BELLINGHAM, WASHINGTON**

Present:	Commissioners:	
	President	Dan Robbins
	Vice President	Jim Jorgensen
	Secretary	Michael McAuley
Staff:	Rob Fix	Executive Director
	Brian Gouran	Environmental Programs Director
	Tamara Sobjack	Finance Director
	Adam Fulton	Facilities Director
	Elizabeth Monahan	Human Resources Director
	Sylvia Goodwin	Planning and Development Director
	Shirley McFearin	Real Estate Director
	Dodd Snodgrass	Economic Development Specialist
	Mark Leutwiler	Interim Aviation Director
	Marie Duckworth	Airport Landside Manager
	Norman Gilbert	Project Engineer
	Frank Chmelik	Port Counsel
	Diane McClain	Executive Secretary

CALL PUBLIC MEETING TO ORDER AND IMMEDIATELY RECESS TO CLOSED EXECUTIVE SESSION

Commissioner Robbins called the meeting to order at 2:00 p. m. and immediately recessed the meeting to a closed executive session to discuss pending litigation, pursuant to RCW 42.30.110 (i).

RECONVENE PUBLIC MEETING, CALL TO ORDER AND ROLL CALL

Commissioner Robbins called the meeting to order at approximately 3:04 p. m. and announced that all three Commissioners were in attendance. Commissioner Robbins also announced that September 15, 2015 is the Port of Bellingham's 95th Anniversary. Executive Director Rob Fix added a celebration would be planned for the 100th anniversary in the year 2020.

PUBLIC COMMENT PERIOD

The following people signed up to discuss the International Sailing Center (ISC) agenda item, Action Item No. 1 on the agenda:

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1. Jay Bornstein, 354 Bayside Road, Bellingham, WA- Bornstein Seafoods and member of the Working Waterfront Coalition, spoke in support of the proposed sailing center locating on the Bellingham Bay, favoring the Cornwall Avenue site as the most suitable site.

2. Roger Van Dyken, 145 E. Cedar, Lynden, WA – Owner, San Juan Sailing & Yachting, 34 year Port tenant, member of Working Waterfront Coalition, supports Bellingham Yacht Club and proposed corner site; location offers protection from winds, viewing enjoyment.

CONSENT AGENDA

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

- A. Approve the Sale of Vessels pursuant to Resolution No. 947.
- B. Approve a Renewal and Modification of Lease Agreement between the Port of Bellingham and Wood Stone Corporation for premises located at the Airport Industrial Park.
- C. Authorize the Executive Director to execute a Memorandum of Agreement and Release for past defense costs and extra contractual claims with the Port of Bellingham's additional insurers AGCS Marine Insurance Co. and Alaska National Insurance Co.

Discussion: None.

Motion approved with a 3-0 vote.

ACTION ITEMS:

1. INTERNATIONAL SAILING CENTER (ISC) MEMO OF UNDERSTANDING (MOU)

Motion: Authorize the Executive Director to enter into a Memorandum of Understanding (MOU) with the International Sailing Center (ISC) for the re-location of a building from 1200 North Forest Street to either of the following:

- a) a site immediately southwest and adjacent to the current port maintenance facility on Cornwall Avenue, or
- b) a site to be defined at the head of the I&J Waterway.

Discussion: Executive Director Rob Fix presented an overview of the action being requested by members of the Bellingham Yacht Club, the Bellingham Sailing Foundation and the Whatcom County Sailing Foundation. This group of representatives has approached the Port to express their desire to find a safe, enjoyable and scenic location for sailing instruction and participation. In addition to seeking a suitable site for this endeavor, this group is planning to form a not-for-profit, International Sailing Center (ISC) and occupy 3 of its 6 board member positions. Their intent is to fill the remaining 3 seats with at-large members. Representatives

from this group have met with Port staff to review 7 sites around the Bellingham Bay area before selecting the 2 proposed sites for Commission consideration. Mr. Fix explained the industrial area being considered is not ideal from a development and permitting perspective and that while there is not currently money in the Port's budget or 5 year plan to assist this group further in this endeavor, if directed by the Commission, staff time can be allocated to explore potential sites and prepare something for the Commission's consideration.

The Commission discussed several aspects of the proposed action including the fact the formation of this group has not yet occurred, the MOU is still in draft form, the site selection needs further review as do several logistics which include parking, timing, access, size, storage needs etc. The Commission agreed that more time and work is needed and the motion was amended as follows:

Motion: Authorize the Executive Director to negotiate a Memorandum of Understanding (MOU) with the International Sailing Center (ISC) for a sailing center site at either of the following:

- a) a site immediately southwest and adjacent to the current port maintenance facility on Cornwall Avenue, or
- b) any other location yet to be determined.

Motion approved with 3-0 vote.

2. WASHINGTON STATE DEPARTMENT OF COMMERCE ASSOCIATE DEVELOPMENT ORGANIZATION (ADO) 2015-2017 CONTRACT

Motion: Authorize the Executive Director to execute the 2015-2017 Washington State Department of Commerce Associate Development Organization (ADO) Biennium Grant contract.

Discussion: Planning and Economic Development Director Sylvia Goodwin and Economic Development Specialist Dodd Snodgrass presented an overview of the ADO program, the and the connections being made with various foreign (Canada) and domestic businesses in Whatcom County. The deliverables for 2015-2017 can be measured in community outreach efforts to offer businesses recruitment and marketing support. The Commission congratulated the Economic Development staff for its success in assisting Preferred Freezer Services in their siting of a new cold storage facility in Lynden; roughly 330, 000 square feet. The basis of the ADO Grant Agreement is that it supports the ADO program performance based grant funding to assist economic development activities in Whatcom County.

Motion approved with 3-0 vote.

3. AWARD CONTRACT TO STRIDER CONSTRUCTION CO. INC. FOR THE GP WEST BUNKER C SOIL REMOVAL PROJECT

Motion: Authorize the Executive Director to award the bid for the Bunker C soil Removal at the GP West Model Toxics Control Act (MTCA) site to Strider Construction Company, Inc. of

Bellingham in the total bid amount of \$669,755.05 and include a 20% contingency for a total authorized amount of \$804,000.

Discussion: Senior Project Engineer Adam Fulton explained that the Port and Department of Ecology entered into a Consent Decree for the cleanup of a portion of GP West MTCA site, adjacent to the Whatcom Waterway in 2014. Mr. Fulton further reported that the project includes the removal and off-site disposal of concrete, piping and petroleum impacted soils from the site as well as controlling ground water inflow and pumping to the Aeration Stabilization Basin (ASB). Of the six responses received, Strider Construction Company presented the lowest responsive, responsive bid to do the work. 50% of the eligible costs will be covered by an existing MTCA grant with the other 50% to be reimbursed through the Port's pre-funded insurance policy.

Motion approved with 3-0 vote.

4. AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH ASPECT CONSULTING, LLC FOR THE PULP & TISSUE ENGINEERING AND DESIGN

Motion: Authorize the Executive Director to execute Amendment No. 2 to the Professional Services Agreement (PSA) with Aspect Consulting, LLC to prepare construction and monitoring plans for the Pulp & Tissue Remedial Action Unit of the GP West MTCA site and conduct construction oversight of the Bunker C removal project site in the amount of \$296,406 for a total authorized budget of \$577,017.

Discussion: Senior Project Engineer Adam Fulton explained that the Port entered into a PSA with Aspect Consulting for the first phases of design and engineering for the cleanup of the 31 acre Pulp and Tissue Mill site pursuant to the Consent Decree with the Department of Ecology. The proposed scope of work includes additional project coordination with the Port and Ecology, construction management and oversight of the Bunker C soil removal; as well as preparation of construction plans and specifications for the RAU- wide capping and support.

Motion approved with 3-0 vote.

5. PROFESSIONAL SERVICES AGREEMENT WITH REID MIDDLETON, INC. FOR THE CONDITION ASSESSMENT, STRUCTURAL ENGINEERING DESIGN, PERMITTING, CONSTRUCTION SUPPORT FOR MULTIPLE BLAINE HARBOR STRUCTURES

Motion: Authorize the Executive Director to execute a Professional Services Agreement with Reid Middleton, Inc. to perform a condition assessment, structural engineering design, permitting and construction support for repair or replacement of multiple marine structures at Blaine Harbor in the amount of \$99,898 plus a contingency of \$10,000 for a total authorized contract amount of \$109,898; and amend the 2015 Capital Improvement Program by creating a new GL account named "Condition Assessment North and South Pier- Blaine Harbor" by transferring \$40,000 from GL Account #228-641-1900; and amend the 2015 Capital

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Improvement Program by advancing \$45,000 from the 2017 forecast of budget on Line Item 69 to 2015.

Discussion: Project Engineer Norman Gilbert reported the Port issued a Request for Professional Services (RFPS) for a scope of work that included condition surveys and assessments for the Gate 1 Landing Float, Sawtooth Pier, and two timber piers in the Industrial Area at Blaine Harbor. Of the five responses the Port received, Reid Middleton Inc. was selected as most qualified to perform the scope of work.

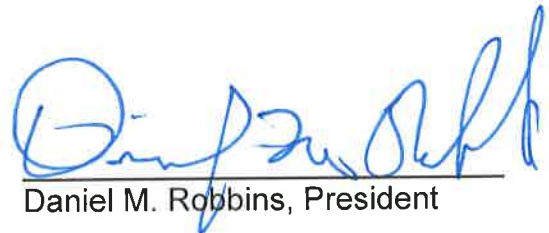
Motion approved with 3-0 vote.

NEW BUSINESS

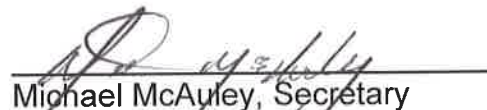
Commissioner McAuley asked staff to find out if the two piers may be restricting public access on the sawtooth dock in Blaine and what the cost would be to add a hoist onto the sawtooth dock. Executive Director Rob Fix answered that staff will find out the cost, look at the 2016 budget and report back. Commissioner McAuley would also like Port to explore expanding the trade show floor size for the annual NW Outdoor Recreation Summit.

ADJOURN

With no further business, the meeting was adjourned at 4:45 p.m.



Daniel M. Robbins, President



Michael McAuley, Secretary