

PORT COMMISSION OF THE PORT OF EDMONDS
MINUTES OF REGULAR MEETING

January 12, 2009

Commissioners Present

Bruce Faires, President
Mary Lou Block, Vice President
Marianne Burkhart, Secretary
Fred Gouge

Staff Present

Chris Keuss, Executive Director

Others Present

Bradford Cattle, Port Attorney
Theresa Ocfemia, Student Representative
Karin Noyes, Recorder

Commissioners Absent

Jim Orvis

CALL TO ORDER

Commission President Faires called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

All those in attendance participated in the Pledge of Allegiance to the American Flag.

CONSENT AGENDA

The Commission modified the agenda (Item A on the Consent Agenda) to make their review of the 2009 Committee Assignments (Item VII.A) an action item (Item VI.C)

COMMISSIONER BURKHART MOVED THAT THE CONSENT AGENDA BE APPROVED TO INCLUDE THE FOLLOWING ITEMS:

- A. APPROVAL OF AGENDA AS AMENDED.**
- B. APPROVAL OF DECEMBER 8, 2008 COMMISSION MEETING MINUTES.**
- C. APPROVAL OF DECEMBER 29, 2008 COMMISSION MEETING MINUTES.**
- D. APPROVAL OF CHECK NUMBERS 5372 THROUGH 5380 IN THE AMOUNT OF \$409.18 FOR TENANT TRANSFERS.**
- E. APPROVAL OF VOIDED CHECK NUMBER 67166 IN THE AMOUNT OF \$1,352.72 FOR PAYROLL.**

- F. APPROVAL OF CHECK NUMBERS 67146 THROUGH 67175 INCLUDING DIRECT DEPOSIT NUMBERS D00268 THROUGH D00280 IN THE AMOUNT OF \$73,207.26 FOR PAYROLL.
- G. APPROVAL OF CHECK NUMBERS 67176 THROUGH 67222 IN THE AMOUNT OF \$64,213.93 FOR ACCOUNTS PAYABLE.
- H. APPROVAL OF VOIDED CHECK NUMBER 67189 IN THE AMOUNT OF \$479.23 FOR ACCOUNTS PAYABLE.
- I. APPROVAL OF CHECK NUMBERS 67223 IN THE AMOUNT OF \$385.79 FOR ACCOUNTS PAYABLE.
- J. APPROVAL OF CHECK NUMBERS 10843 THROUGH 10847 IN THE AMOUNT OF \$15,150.73 FOR HARBOR SQUARE ACCOUNTS PAYABLE.
- K. APPROVAL OF VOIDED CHECK NUMBER 67217 IN THE AMOUNT OF \$196.64 FOR ACCOUNTS PAYABLE.
- L. APPROVAL OF VOIDED CHECK NUMBER 67197 IN THE AMOUNT OF \$1,140.79 FOR ACCOUNTS PAYABLE.
- M. APPROVAL OF CHECK NUMBERS 67225 THROUGH 67227 IN THE AMOUNT OF \$1,255.88 FOR ACCOUNTS PAYABLE.

COMMISSIONER GOUGE SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY, WITH COMMISSIONERS BLOCK AND FAIRES ABSTAINING FROM VOTING ON ITEM C (APPROVAL OF DECEMBER 29, 2008 MINUTES) – TO BE APPROVED AT THE JANUARY 26, 2009 MEETING.

PUBLIC COMMENTS

No one in the audience expressed a desire to address the Commission during this portion of the meeting.

HARBOR SQUARE AQUATICS COMPLEX

Commissioner Gouge reported that he recently attended a task group consisting of City of Edmonds Staff, representatives from the City of Edmonds Aquatics Center Advisory Committee, and Jack Tawney (owner of Harbor Square Athletic Club). He recalled that in late 2009, Mr. Tawney appeared before the Commission to present his preliminary plans for a new swimming pool facility. The purpose of the task group was to discuss the possibility of Mr. Tawney partnering with the Port of Edmonds and the City of Edmonds to provide an aquatics center that could benefit the entire Edmonds Community, as well as the Harbor Square Athletic Club. He said the purpose of tonight's discussion is to get the Commission thinking about if and how the Port would become involved in this type of project.

Brian McIntosh, Edmonds Parks, Recreation and Cultural Services Manager, recalled that when Yost Pool was originally built 38 years ago, the intent was to convert it into an indoor pool at some point. While this concept was never implemented, Yost Pool has become an important and successful element of the City's park system. He reported that the concept of covering Yost Pool or developing an indoor aquatics center has been discussed amongst the community for many years, and City's last three Comprehensive Plan updates have identified an aquatics center as a high priority for citizens of the community. He advised that the City recently formed the Aquatics Center Advisory Committee to consider the option in greater detail, and a consultant (NAC Architects) has been hired to conduct a study. He announced that the consultant would be available for a series of meetings on January 14th with City staff, stakeholders, advisory committee and public. He emphasized that City staff and the advisory committee trust that the consultant's recommendations would be legitimate and enable the City Council and citizens of Edmonds to make a good decision. However, he cautioned that whether or not the exercise results in the construction of a new aquatics center depends on both the political and economic climate, as well as a citizen vote to provide the necessary funding.

Mr. McIntosh explained that the consultant was initially asked to study three options: redeveloping or modifying Yost Pool, building a new pool at the old Woodway High School site, or building a new pool near the waterfront (old Safeway site). Since the study was commissioned, City staff learned that the Harbor Square Athletic Club was starting conceptual designs to expand their existing pool facility. In December members of the Aquatics Center Advisory Committee, City Staff, and a Port Commissioner met with Mr. Tawney from the Harbor Square Athletic Club to discuss the idea of forming a partnership. Everyone at the table came away with the idea that it would be worthwhile to explore the concept further and to consider the Harbor Square site as a potentially viable location for the new aquatics facility. Mr. McIntosh reported that the City Attorney has reviewed the option and determined that while a public/private partnership would involve a unique and complicated process, it would be doable.

Mr. McIntosh said he was encouraged by the reception the City received from the Harbor Square Athletic Club and Mr. Tawney's willingness to look at different alternatives. He reported that the City's consultant is scheduled to meet with Mr. Tawney and his architects on Wednesday to further discuss the concept. While there are differences between what a private health club and a public agency would construct, he said he believes the differences could be overcome. He said the City and the advisory committee look forward to continued discussions regarding the potential partnership, and they would appreciate feedback from the Commission, as well.

Mr. McIntosh reported that the consultant is in the early stages of the feasibility study process and would conduct a survey of approximately 300 citizens within the next few weeks. In addition, a public meeting would be conducted with the consultant on January 14th. The current plan is for the consultant to present the results of the survey at a public meeting on February 12th. The City hopes the consultant would be prepared to present the final results of the feasibility study to the City Council on March 24th. Commissioner Burkhart inquired if the Harbor Square concept would be presented to the City Council before the feasibility report has been completed. Mr. McIntosh answered that none of the options would be presented to the City Council until the feasibility study has been completed. He noted that until numbers are available, City staff would be unable to answer many of the questions the City Council would likely raise.

Commissioner Burkhart asked how the City would fund construction of the new facility, as well as continued operations and maintenance. Mr. McIntosh answered that a taxpayer approved bond or levy would be required for construction and most likely for operations and maintenance, as well. He explained that while it is difficult to operate aquatic centers in the black, it can be done depending on the other amenities that are provided. He said it is also important to understand the other benefits associated with pools. For example, pools typically bring in people from throughout the region, which results in more customers for the local businesses and greater tax revenue.

Commissioner Burkhart asked if the consultant's work would be modified to not only consider a public/private partnership for the Harbor Square site, but also take into account what the impact to the community would be if the Harbor Square Athletic Club were to construct a private aquatics center that was not open to the general public. Mr. McIntosh answered that City staff and members of the advisory committee would meet with the consultant on January 14th to discuss this option. In addition, the consultant is scheduled to meet with Mr. Tawney and his design team to discuss the option further.

Commissioner Block inquired if the Cities of Mountlake Terrace and Lynnwood are able to operate their aquatics center in the black or if they are required to subsidize the operations. Mr. McIntosh answered that both of the facilities are subsidized, but at different levels. He explained that because the Mountlake Terrace facility has more family amenities, they can charge more to cover their costs. While Lynnwood's user rates are currently low, they are planning to construct a new aquatics play facility beside their traditional pool. He noted that both of these aquatics centers have an impact on Edmonds' potential market. Commissioner Faires asked if the consultant would complete a thorough siting analysis. Mr. McIntosh answered that the initial siting analysis has already been completed for the three sites mentioned earlier.

Commissioner Faires said his understanding of the State regulations is that ports are precluded from involving themselves with parks. Mr. Keuss pointed out that ports can involve themselves with park related activities through

an interlocal agreement between the port and local jurisdictions. Mr. Cattle clarified that there is some authority for ports to enter into park related activities when they support other activities that are permissible. An aquatics center may qualify, but he would have to look further at the proposal. He cautioned that the interlocal agreement, alone, would not put a blessing on the idea, but there is some statutory authority that allows ports to get into recreational and park activities when they enhance port activities. He said it is important for the Commission to have a clear understanding of what the Port's role would be in the proposed partnership. He noted that the Port's role could take a lot of different forms, some of which might be a better fit than others. He noted that the Port currently has a long-term lease with the Harbor Square Athletic Club, and the proposal would require modifications to that existing agreement. He pointed out that as the concept starts to develop further, the Port must consider an approach that would meet the State Auditor's requirements.

Mr. Cattle recommended the Commission make a decision as to what their role in the process would be as early as possible. If they want the Port to be player in the final agreement, they should participate in the discussions that lead up to the final agreement. He suggested an appropriate approach would be for the Property Committee to participate in the meetings between the City and the Harbor Square Athletic Club and that updates be provided to the entire Commission as the concept is developed further. He said he senses that the discussions would start getting into conceptual detail fairly soon, and the Commission must have clear legal direction before that occurs.

Commissioner Faires said that while he supports the concept of an aquatics center in Edmonds, it is not clear to him that it would be the best and highest use for property that is located near the waterfront. He referred to previous community discussions that indicate the highest and best use of the properties near the waterfront tends more towards being part of the downtown economic engine in conjunction with some residential development.

Dick VanHollebeke, Aquatics Center Advisory Committee Member, said he can appreciate Commissioner Faires' observation that the waterfront properties might not be the best place for an aquatics center. He noted that the advisory committee has discussed that constructing a pool near the waterfront would be a difficult feat because of the high water table. The City's architects have expressed a concern, as well. He recalled that the consultant was asked to study three sites: Yost Pool, Old Woodway High School, and property near the waterfront. It was only after the advisory committee learned of the Harbor Square Athletic Club's plan to expand their aquatics facility that they decided it would be appropriate to consider the idea of a partnership. He expressed his belief that the proposed partnership has the potential to be a win/win situation for everyone. He suggested that the greatest advantage would be economic as a result of people coming to the downtown and waterfront to attend swim meets, etc. He summarized that it would be far better to have the aquatics center closer to the City's economic center.

Mr. VanHollebeke said he has been working to get an aquatics center in Edmonds for a number of years, and the needs of the community have changed over that time. Instead of just a traditional swimming pool, aquatics centers have become more recreational in nature and draw people from the broader community. Families recreate in these facilities for hours at a time, which is different from swimmers who come and go every half hour or so. He summarized that aquatics centers are used up to five times more when a variety of features are also provided.

Mr. VanHollebeke said he is excited about the current possibilities, and he suggested the process would step up on January 14th when the consultant meets with the stakeholders, the public, and the Harbor Square Athletic Club. He said he believes the single biggest challenge from the athletic club's standpoint is that they don't need a grand facility such as the one the City anticipates. But maybe having a bigger and better facility would be okay as long as it still meets their needs and interests. While he once again recognized the problems associated with the high water table, he expressed his belief that a public/private partnership would work better economically, and the end product would most likely be better, as well.

Commissioner Block agreed that the community would benefit from a private/public partnership such as the one proposed. However, in addition to concerns related to the water table, she cautioned that they must also keep in mind the need to protect the marsh. Mr. VanHollebeke concurred and noted that the property leased by the Harbor Square Athletic Club is located right at the end of the marsh.

Jack Tawney, Harbor Square Athletic Club, pointed out that there are ways to reconfigure the site to accommodate a larger aquatics facility, but it would require that more parking be provided in the Harbor Square area. Mr. Tawney agreed that a public/private partnership could be a positive opportunity for the entire community. He noted that the athletic club has been a good tenant of the Port for many years. They pay a lot of money to the Port in lease fees, and they also generate a significant amount of tax revenue for the City. He summarized that the athletic club would benefit from a pool expansion, and he believes that working together with the City and Port would be a positive approach for everyone.

Commissioner Block pointed out that the City of Kirkland has located an aquatics facility in their downtown, and many people visit the businesses in the area during swim meets, etc. She expressed her belief that an aquatics facility in downtown Edmonds could be a real economic boon for the community.

Commissioner Faires asked how the various factors and options would be prioritized. Mr. VanHollebeke advised that at the public meeting on January 14th, the consultant would provide a list of the various aquatic features that have been built across the country, and the public would be invited to indicate their preferences. This information, along with survey data and comments from stakeholders, would be used by the consultant to prepare options for future consideration. Mr. McIntosh advised that the consultant would not only identify the cost of each proposal, but also the economic impacts associated with each. The consultant has laid out a matrix of various factors that will help prioritize the various options. The exercise would attempt to identify the amenities the citizens want and are willing to pay for.

The Commission agreed it would be worthwhile to further explore opportunities for a public/private partnership. They agreed it would be appropriate for the Property Committee (Commissioners Burkhart and Faires) to participate in the discussions and report back to the Commission. This approach would allow them to work out legal issues with their attorney as they come up throughout the process. Mr. VanHollebeke agreed to forward all future information to the Commissioners via the Executive Director. Mr. McIntosh also agreed to forward a copy of the site evaluation matrix and the market evaluation.

Mr. Keuss cautioned that if the discussions about pursuing the Harbor Square site get more serious, the Port would need to review their Master Plan to see how the changes would impact the Port property overall.

Ms. Ocfemia asked if the proposal would be an additional indoor pool to the one that already exists at Harbor Square Athletic Club. Mr. Tawney answered that the proposal is to add two or three new pools: a large recreational component, a lap pool, and a family area. He noted that it would not be possible to add a diving pool because of issues related to the high water table. Mr. McIntosh added that the Harbor Square option could allow the City to keep Yost Pool open as a seasonal facility because they would not have to purchase land. The other sites would probably not allow the City to do this. He noted that the largest swim meets could be held at Yost Pool, and the remaining smaller meets could be held at the Harbor Square facility. He summarized that there is tremendous community support to keep Yost Pool open.

EXECUTIVE DIRECTOR POSITION

Mr. Keuss reminded the Commission that on January 7, 2009 he announced his decision to retire from public service and the Port of Edmonds effective May 31, 2009. A task force of the Commission was formed to prepare a draft job description, selection criteria and a proposed timeline for filling the position. The Commission met in a special meeting on January 7th to review the draft documents and provide input to the task force so the documents could be finalized and presented for approval on January 12th.

Mr. Keuss referred the Commission to the draft questions that he prepared at the request of Commissioner Block. Commissioner Block recommended the applicants be invited to respond to the questions as part of their initial

application submittal. He suggested that if the Commission decides to use the questions, the applicant's responses should be succinct and short to enable the Executive Director to do his initial screening of the applicants. The Commission discussed whether or not it would be appropriate to invite applicants to respond to the questions as part of the initial application submittal. They agreed to postpone this discussion until the workshop session that is scheduled later on the agenda.

Mr. Keuss announced that a news release was published to announce his retirement. The news release stated that the Port's website would provide information regarding the application process by the end of month. He reminded the Commission that he would be out of the office for a time so he would like to get the information posted by January 16th.

COMMISSIONER GOUGE MOVED THE COMMISSION DIRECT THE EXECUTIVE DIRECTOR TO PROCEED PER THE DISCUSSED TIMELINE TO START THE PROCESS TO FILL THE EXECUTIVE DIRECTOR'S POSITION. COMMISSIONER BURKHART SECONDED THE MOTION.

Commissioner Gouge expressed his belief that the task force did a great job preparing the selection criteria as discussed by the Commission on January 7th. While it would be difficult to replace Mr. Keuss, he said he anticipates the Port would receive a lot of great applicants. He said he supports the selection criteria as currently drafted. Commissioner Burkhart agreed and added that the task force came up with a good process, as well.

Commissioner Block expressed concern that some of the selection criteria items are unclear and do not really describe the Commission's intent. She suggested the Commission needs to discuss the criteria further. Commissioner Faires suggested that since the Commission has only had one opportunity to discuss the selection criteria, they should have additional discussion in a workshop session. He noted that the criteria would not need to be sent out as part of the job description, etc. The Commission agreed to discuss this issue further as part of their later workshop discussion.

THE MOTION CARRIED UNANIMOUSLY.

Mr. Cattle said it appears the Commission would like the applicants to communicate information regarding the intangible items they are seeking as part of an application cover letter. He suggested that one approach would be to simply ask the applicants to highlight some of these concepts in their narrative. He said this information might help the Port proceed through the initial screening process.

WAIVER OF NOTICE OF SPECIAL MEETING

Mr. Keuss advised that as a result of a recent WPPA Seminar, Commissioner Faires recommended the Port adopt the Wavier of Notice of Special Meeting, which would allow a Commissioner who is out of town when a special meeting occurs to authorize the Commission to hold a special meeting and take action, recognizing that he/she would not be present to participate.

Mr. Cattle cautioned that the draft form would not dispense with the need for a quorum to be present, but it would dispense with the need for a Commissioner to receive notice of the special meeting. Unless a Commissioner has signed the waiver, he/she would be required to receive notice. He explained that the waiver could be on file to relieve the Port of this notice requirement.

Commissioner Faires recalled that advice from legal counsel at the WPPA Meeting was that a special meeting might not be valid and legal if a Commissioner is not available and the Port is unable to contact him/her. Absent Commissioners must receive notice of all special meetings. However, the waiver form would resolve this situation.

COMMISSIONER BLOCK MOVED THAT THE COMMISSION APPROVE THE DOCUMENT, WAIVE OF NOTICE OF SPECIAL MEETING, WHICH AUTHORIZES THE COMMISSION OF THE PORT OF

EDMONDS TO SCHEDULE AND CONDUCT A SPECIAL MEETING IN THE ABSENCE OF A COMMISSIONER. COMMISSIONER GOUGE SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

2009 COMMITTEE ASSIGNMENTS

Mr. Keuss reported that the Commissioners have expressed their interest in committee assignments to incoming President, Commissioner Faires. Commissioner Faires reviewed the requests and formulated his recommendation for the 2009 Committee Assignments. He referred the Commission to the draft spreadsheet of the 2009 Committee Assignments. He noted that the internal staff committees would not be decided until the first all-staff meeting next week. Staff would submit the updated list for the final copy. He also noted that he is identified as the Port's representative on the Edmonds Chamber of Commerce Board. He suggested that a Commissioner also be appointed as an alternate since he would be leaving his position at the Port at the end of May. He suggested that while it might be timely for the new Executive Director to serve on the Board, the new appointment would have to be approved by the Chamber Board. It was noted that Commissioner Burkhart would serve as the alternate.

Commissioner Burkhart noted that she is assigned to participate on six committees and would chair three of them. She suggested that Commissioner Orvis be identified as the head of the Finance Committee instead of her. The remainder of the Commission concurred.

Commissioner Block noted that the matrix includes numerous asterisks, but no legend was provided. Mr. Keuss agreed to add a legend to explain why the asterisks were used. In previous years, the asterisks were used to identify the leaders of each group. He explained that when the document is finalized, the person that is listed first would be the lead for that group.

Commissioner Block pointed out that she has been assigned to represent the Port at the PSRC. However, she suggested it would be helpful to assign an alternate, as well. Commissioner Gouge agreed to serve as the alternate, and Commissioner Block agreed to forward his name to the PSRC for inclusion on their list of email contacts.

COMMISSIONER GOUGE MOVED THE COMMISSION APPROVE THE 2009 COMMITTEE ASSIGNMENTS AS STATED AND AMENDED ON THE SPREADSHEET TITLED, PORT OF EDMONDS 2009 COMMITTEE ASSIGNMENTS. COMMISSIONER BURKHART SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

WORKSHOP DISCUSSION ABOUT 2009 SPECIAL MEETINGS

Mr. Keuss advised that, traditionally, the Commission has discussed and set special meetings for the year at their first meeting of the new year. The Commission discussed the following:

- **Port Master Plan/Strategic Plan:** Mr. Keuss reminded the Commission that they have not reviewed the Port's Master and Strategic Plans for a few years. The review was postponed in 2008 with the understanding that the Commission wanted to talk about Harbor Square at a special meeting, which they did in late 2008.

Commissioner Gouge recalled that the Property Committee attempted to meet with the Harbor Square Property Manager in the fall of 2008, but the meeting never took place. He suggested this meeting be scheduled as soon as possible and prior to any Commission discussion regarding the Master and Strategic Plans. It was noted that the property manager, Jan Conner, would not be available until at least February. The Commission agreed that staff should arrange a meeting with the senior partner of the management company, instead.

Mr. Keuss noted that staff typically meets with a representative from Colliers, the Broker for Harbor Square, on a monthly basis. He suggested they plan a February meeting to include the Property Committee as well as a representative from the property management company. The Commission agreed. They further directed staff to schedule a special meeting to discuss the Strategic and Master Plans related to Harbor Square in early March after the Property Committee has met with the broker and property manager.

- **Commission/Staff Retreat:** Mr. Keuss recalled that the Commission/Staff Retreat has typically been scheduled towards the end of April each year at a location to be agreed upon.

Commissioner Gouge noted that a long list of goals resulted from the last Commission/Staff Retreat, and staff is still working to accomplish them. He suggested that because of the Commission's busy schedule over the next several months, it would be appropriate to postpone the retreat until 2010. However, they agreed to consider the option again after a new Executive Director has been hired.

- **2010 Preliminary Operating Budget:** Mr. Keuss recalled the Finance Committee met in 2008 to have a philosophical discussion on issues related to the budget and to provide direction for staff to start preparing the draft budget. He noted that staff would be unable to provide a lot of the necessary information until late in August when the financial statements for the first half of the current year are available for review.

Mr. Keuss reported that Commissioner Orvis recently reminded him that when the Commission approved the 2009 Operating Budget, they agreed to revisit it again mid year to see if they want to make any changes. The Commission agreed to discuss this option again after the first quarter financial statements are available at the end of April. They agreed that it might be helpful to schedule a special budget workshop when both the new Executive Director and existing Director could participate.

WORKSHOP DISCUSSION ABOUT TOPICS FOR DISCUSSION IN 2009

The Commission agreed to postpone their discussion regarding possible topics for 2009 until their next workshop agenda.

WORKSHOP DISCUSSION ABOUT EXECUTIVE DIRECTOR RECRUITMENT PROCESS

Mr. Keuss reminded the Commission that they adopted the timeline for the Executive Director Recruitment Process, which indicates that all necessary application information would be posted on the Port's website by the end of January. He invited the Commission to discuss and identify the information they would like staff to post. He explained that the job advertisements would only include a sentence or two about the position, and then applicants would be directed to the Port's website to obtain all of the application information.

Commissioner Block recalled that the Commission previously agreed it would be appropriate to post both the job description, as well as the selection criteria so that applicants have a clear understanding of what the Port is looking for. Commissioner Burkhart expressed her belief that some information related to the selection criteria could be gathered through the interview process, and some could be gathered by asking the finalists to address specific criteria in writing.

Commissioner Faires said his interpretation of the Commission's last discussion was that the selection criteria represented the qualifications that each candidate would be rated against during the Commission's interview process. Commissioner Block expressed concern that if applicants are not invited to respond to the selection criteria in writing, they may receive only resumes from some applicants.

The Commission talked about whether or not it would be appropriate to request applicants to specifically address the selection criteria as part of their initial application or if it would be better to request the more detailed information from finalists only. Commissioner Block expressed her belief that the more information that is collected before the interview process, the easier it would be to screen the applications. Requesting written responses before the interviews would allow applicants to provide better information, as well.

Commissioner Gouge recommended that the task force (Commissioners Block and Faires) prepare the selection criteria in final draft form and forward it to the remaining Commissioners for comment. Once finalized, the document could be posted on the Port's website and applicants could be invited to respond to each criteria. Commissioners Block and Faires agreed to have an updated draft of the document available for Commission review by early next week. Their goal would be to finalize the selection criteria so it could be posted by January 23rd, along with the job description. They agreed to keep the questions in mind as they proceed through the selection process.

Commissioner Wambolt referred to the list of essential duties and responsibilities identified in the job description. He suggested the words "The Executive Director must" could be deleted from each of the bulleted items.

EXECUTIVE DIRECTOR COMMENTS

Mr. Keuss reported on the following items:

- The Executive Director would be on leave from January 18th through January 29th.
- As per the Commission's earlier request that Anthony's be asked to sign a Hold Harmless Agreement if they decide not to proceed with the roof replacement project in 2009, the Port Attorney has been directed to provide a draft of the agreement. The understanding is that it would be forwarded to Anthony's for signature. Anthony's has indicated they do not want to proceed with the project in 2009.
- The Snohomish County Economic Development Council Annual Breakfast Meeting is scheduled for January 28th, and he would be unable to attend. Commissioner Gouge indicated he would attend the meeting on behalf of the Port. Mr. Keuss asked him to notify Ms. Borth so that appropriate arrangements could be made.
- The Edmonds Yacht Club (EYC) would present their design plans to the Edmonds Architectural Design Board (ADB) at a public hearing on January 21st at 7:00 p.m. He would not be available to attend the hearing. Either Commissioner Faires or Commissioner Burkhart agreed to attend on behalf of the Port.

Commissioner Faires inquired if the Commission would like him to provide any input from the Port relative to the project. Mr. Keuss explained that the ADB would be focusing on the building design and landscaping. He noted that the Port and EYC have still not resolved the issue of parking on the other side of Admiral Way. He said he spoke with Mr. Collins from the EYC regarding the City's requirement that the EYC complete a traffic study. Mr. Collins indicated that there is a provision in the City's code that allows an applicant to do something in lieu of a traffic study. Mr. Keuss clarified that this issue is between the City and the EYC. The Port Attorney has been invited to provide his written opinion of the Port's requirement for parking on the other side of Admiral Way, but this document is not available yet.

Commissioner Block recalled that the previously decided timeline required that the design plans be submitted to the Port Commission for approval prior to being submitted to the City of Edmonds. Mr. Keuss reminded the Commission that the plans were presented to them previously. While the Commission did not take action to formally approve them, they did agree they were acceptable. Mr. Keuss said he provided each of the Commissioners a copy of the building façade plans and notified them that the complete set of plans, including landscaping, was available for review. He emphasized that the ADB would not take into consideration the parking issue that is required across the street, since this is a Port requirement not a City requirement.

- One of his tasks as Deputy Director of the Port 11 years ago was to work with the Washington Department of Transportation (WSDOT) to get a sign to identify the Port of Edmonds in place on SR-104 where it splits to go to the downtown or the waterfront. He was unsuccessful at that time, but he was just notified that his recent request was approved and the sign would be installed within the next month or so.
- The Executive Director met with Rick Kirsten, a well-known artist in the Puget Sound Region, and Vern Chase from the Edmonds Rotary Club regarding the possibility of having an art show as part of the Waterfront Festival. They discussed that a possible location would be the current Edmonds Yacht Club Building. Mr. Kirsten and Mr. Chase have agreed to work with a task group consisting of members from the Port, the Rotary Club and the City of Edmonds Cultural Arts department to organize the event.
- The Executive Director would not be present at the next meeting, and senior staff would present the agenda topics. Ms. Drennan would present a formal recommendation for a new Point of Sale and Pay at the Pump system, which is identified in the 2009 Operating Budget at a cost of \$50,000. The estimated cost of the new system is \$45,000. Staff would provide additional details at the next meeting.

Commissioner Faires requested that staff provide a cost benefit analysis as part of their presentation. Mr. Keuss pointed out that the current system does not work and staff is frustrated. Commissioner Faires said that if staff can show that the current system is not functioning that would be sufficient. Commissioner Gouge suggested that the cost analysis should also consider the option of eliminating the program.

- The new Legislative Report has been forwarded to each Commissioner and the Legislature started meeting on January 12th.
- The Executive Director received an update letter from the project manager for the Unocal Clean Up Project. It reports that 140,000 tons of contaminated soil and 9,000 gallons of petroleum were removed from the site. The lower yard was reseeded with grass and the area around Willow Creek was replanted with native vegetation. In addition, 28 ground water monitoring wells would be installed throughout the site to monitor the situation over the next two years. Depending on the results of the monitoring, the Department of Ecology would determine if further remediation is needed.

Commissioner Faires pointed out that the clean up project was intended to meet a standard that would accommodate the proposed marina terminal portion of the Edmonds Crossing Project. Since it is questionable whether this project would even move forward, he questioned if the property could be used for other types of development. Mr. Keuss said his understanding is that the lower site would be cleaned up to meet the standards for the Edmonds Crossing Terminal, which is a cap over the area. The clean up would not meet the standards necessary to accommodate residential or park types of development.

COMMISSIONER COMMENTS AND COMMITTEE REPORTS

Commissioner Gouge reported on his attendance at the Edmonds City Council Meeting of January 6th. It was decided that the City Council would begin their process of selecting a new City Council Member on January 13th by interviewing nine candidates. They would interview the remaining candidates on January 17th. Their intent is to make a final decision on January 20th. If they cannot make a decision by the final deadline (sometime around the end of April or first of May) the County Council would make the decision.

Commissioner Block referred the Commissioners to a spreadsheet that was prepared by the Puget Sound Regional Council's Transportation Committee, which is made up of transportation officials in the area. The matrix provides the committee's whittled-down version of the list of stimulus packages that were submitted to the State by the various jurisdictions. The document was provided for the Commission's information.

ADJOURNMENT

The meeting was adjourned at 9:27 p.m.

Respectfully submitted,

Marianne Burkhart
Port Commission Secretary